



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

█
Docket No. 5181-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO █

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by NPC memo 1420 PERS-806/0373, 26 Jul 24
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show no break in service between his service in the Active Component and the Reserve Component and adjust his Pay Entry Base Date accordingly.

2. The Board, consisting of █ reviewed Petitioner's allegations of error and injustice on 31 October 2024 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 25 February 2014, Petitioner enlisted in the U.S. Navy for 8 years, 4 years in the Reserve Component via Nuclear Propulsion Officer Candidate (NUPOC) Program Service Agreement (NAVCRUTT 1131/120 (REV 08-2011)).

b. Petitioner was discharged with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 25 February 2014 to 8 September 2016 in order to accept commission or warrant in same branch of service.

c. On 9 September 2016, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) with a designator code of 1160 (Unrestricted Line Officer billet for an officer in training for Surface Warfare qualification) in the active U.S. Navy listing block 13 (Permanent grade) ENS, block 14 (Permanent grade date) 9 September 2016, block 15 (Present Grade) ENS, and block 16 (Present grade date) 9 September 2016.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

d. On 6 October 2023, Petitioner was issued official separation orders (BUPERS order: [REDACTED] while stationed in [REDACTED] with an effective date of departure of April 2024. Furthermore, “[p]resent CO directed to detach member in time to permit completion separation processing not later than 30 Apr 2024 IAW MILPERSMAN 1050-030 series.”

e. On 13 March 2024, Deputy Chief of Naval Personnel notified Secretary of Defense that via action memo that “Mr. Secretary, recommend you approve a scroll, TAB A, appointing officers in the grades indicated in the Navy Reserve.

The officers listed on TAB A currently hold the corresponding grades on the active-duty list and have been approved for transition to the reserve active-status list. The earliest appointment will be tendered on April 1, 2024.

It is anticipated that all requirements and qualifications will be successfully met prior to an appointment being tendered. Relevant systems of records maintained in the Department of the Navy pertaining to these members have been queried and reveal no adverse information or substantiated misconduct that would impact suitability for appointment.”

f. Petitioner resigned with an honorable character of service and was issued a DD Form 214 for the period of 9 September 2016 to 1 April 2024 upon completion of required active service.

g. On 8 April 2024, Acting Under Secretary of Defense for Personnel and Readiness notified Secretary of Defense via action memo that “Purpose. The Commander, Navy Recruiting Command, the Principal Deputy Assistant Secretary' of the Navy (Manpower and Reserve Affairs), and the Deputy Chief of Naval Personnel recommend you appoint the 1,183 officers, enlisted members, individuals, and warrant officer whose names are on the scrolls (TAB A) in or to the grades of ensign through commander and chief warrant officer, W-2, in the Regular Navy or the Navy Reserve (TAB B). These appointments will be tendered as soon as approved.

Background. An original appointment is an officer’s most recent appointment in a Regular or Reserve component that is not the result of a promotion board or other promotion process.

The officers, enlisted members, individuals, and warrant officer will be assessed through direct appointment, the Chaplain Candidate Program, the Direct Commissioned Officer Program, the Health Professions Scholarship Program, Officer Candidate School, the Training in Medical Specialty Program, Officer Development School, inter-Service transfer from the Reserve of the Army and Marine Corps Reserve, the Fiscal Year 2024 Active- Duty Navy and Navy Reserve Limited Duty Officer and Chief Warrant Officer In-Service Procurement Special Board, the U.S. Naval Academy, or transfer from the Regular Navy.

It is anticipated that all requirements and qualifications will be successfully met prior to an appointment being tendered.

The authority to make these appointments was delegated to you by the President in Executive Orders [REDACTED] and [REDACTED]

Secretary of Defense decision: “Approve.”

Furthermore, “I hereby appoint the following named officers in the grades indicated in the Navy Reserve under title 10, U.S.C., section 12203:” Petitioner’s name was listed.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

h. On 9 April 2024, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) with a designator code of 1115 (An Unrestricted Line Officer who is qualified in Surface Warfare) in the inactive U.S. Naval Reserve listing block 18 (Permanent grade) LT, block 19 (Permanent grade date) 1 October 2020, block 20 (Present Grade) LT, and block 22 (Present grade date) 1 October 2020.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner resigned from active duty in the United States Navy on 1 April 2024 and signed his Officer Appointment Acceptance and Oath of Office into the Navy Reserve on 9 April 2024. Petitioner experienced a delay in scrolling, due to external factors, which resulted in the scroll being stamped 7 days past his separation date. Petitioner completed all required documentation in a timely fashion and should have been processed for affiliation without a break in service.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) on 2 April 2024 vice 9 April 2024 in the inactive U.S. Naval Reserve listing block 18 (Permanent grade) LT, block 19 (Permanent grade date) 1 October 2020, block 20 (Present Grade) LT, and block 22 (Present grade date) 1 October 2020.

Note: That any other entries affected by the Board's recommendation be corrected to include Pay Entry Base Date (25 February 2014). Furthermore, the Defense Finance & Accounting Service will complete an audit of Petitioner's pay records to determine amounts due, if any.

A copy of this report of proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above titled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/5/2024

