



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

[REDACTED]  
Docket No. 6658-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,  
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) OPNAVNIIST 1420.1B, 14 Dec 09  
(c) DoD 7000.14-R FMR Volume 7A, Chapter 1

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by NPC memo 1412 PERS-80/0486, 12 Sep 24  
(3) Advisory opinion by NMLPDC memo 1500 Ser 00/0469, 18 Nov 24  
(4) 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 that his Officer Acceptance and Oath of Office was issued on 17 November 2023 vice 13 March 2024, correction to the Certificate of Release or Discharge from Active Duty (DD Form 214) issued upon his release from enlisted service to reflect the corrected Oath of Office, and back pay and entitlements as O1-E for the period of 17 November 2023 to 13 March 2024.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 8 January 2025 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. In accordance with reference (b) to update guidance to the Enlisted to Officer Commissioning Programs Application Administrative Manual. This instruction is a complete revision and should be reviewed in its entirety. Appointment. Upon successful completion of a baccalaureate or entry level master's degree in nursing (certified by the accredited college/university), the candidate will receive a permanent appointment in the grade of ensign in the NC, U.S. Navy...

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“The Medical Service Corps In-Service Procurement Program (MSC IPP) provides a pathway to an officer commission for career motivated active-duty enlisted personnel who meet the eligibility criteria. Some of these programs provide opportunities to complete either a baccalaureate, masters, or other professional degree...Upon successful completion of a qualifying degree, candidates will receive an appointment in the MSC in the appropriate grade for the degree attained.”

b. In accordance with reference (c), “Active Enlisted and/or Warrant Officer Service for Members in Basic Pay Grades O-1E, O-2E, or O-3E.”

“Creditable Prior Enlisted Service. Commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as an enlisted member are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.”

c. On 6 November 2023, [REDACTED]  
[REDACTED]  
[REDACTED] Code OC3-HMDT that “[i]t is anticipated that [Petitioner] will complete course requirements for a degree in Bachelor of Science in Nursing and will graduate on date 17 November 2023.”

d. On 4 December 2023, Naval Medical Leader & Professional Development Command Program Analyst Enlisted Commissioning Programs notified Petitioner that, “I ran into a tiny problem with you, and commissioning paperwork. I/We cannot find your name on the Scroll giving us permission to commission you. I continue to look because I thought your name, like your peers name was included on a previous Scroll. Yes, I have included your name on another document that I expect in late Jan or Feb. Yes, it will have the same date as your peers. I will send your paperwork as soon as it is received.”

e. On 13 December 2023, Naval Medical Leader & Professional Development Command Program Analyst Enlisted Commissioning Programs notified Petitioner and several others that, “[f]orgive me for not having your Oaths in your hands. I know I was having computer issues, but I thought my emails were being received by PERS. Today, I found out that the person receiving my emails was also having computers problems. My problems have to do with opening word documents and acrobat. People are receiving my emails, and I am receiving your emails. I am resending your information. I should have information on all of you tomorrow. I expect things to happen quickly, and you will have your Oaths in hand.”

f. On 2 February 2024, Naval Medical Leader & Professional Development Command Program Analyst Enlisted Commissioning Programs notified Petitioner that, “[Petitioner], your name was omitted from rosters requesting permission to commission you when the time comes. I missed your name. We are waiting for a new scroll with your name to move forward. I will request your commissioning date of 17 November.”

g. On 20 February 2024, [REDACTED] Deputy Chief of Naval Operations for Personnel Manpower, and Training, NI notified Secretary of Defense via Action Memo that “Mr. Secretary, request you sign TAB A, an appointment scroll containing the names

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of 188 enlisted members, beginning with [REDACTED], whom I recommend for appointment to the grades indicated in the Regular Navy.

In line with section 531 of title 10, U.S. Code, all original appointments to the grades of lieutenant and below require Secretary of Defense approval.

The enlisted members listed on TAB A are participants in the Medical Service Corps In- Service Procurement Program. It is anticipated that the enlisted members will successfully complete the accession program requirements and qualifications prior to appointments being tendered. The earliest appointment will be tendered on January 15, 2024.

If a named enlisted member subsequently fails to meet the requirements of the commissioning program or is found ineligible under section 532 of title 10, U.S. Code, the enlisted member will not be granted an original appointment.

Relevant systems of records maintained in the Department of the Navy pertaining to these enlisted members have been queried and reveal no adverse information or substantiated misconduct that would impact suitability for appointment. To the best of my knowledge, there are no planned or ongoing investigations or inquiries into matters that constitute alleged adverse information on the part of these enlisted members.”

h. On 13 March 2014, [REDACTED], Acting Under Secretary of Defense for Personnel and Readiness notified Secretary of Defense via Action Memo that “[t]he Deputy Chief of Naval Personnel recommends you appoint the 188 enlisted members whose names are on the scroll (TAB A) to the grades of lieutenant junior grade and lieutenant in the Regular Navy (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 enlisted members will be accessed through the Medical Service Corps In-Service Procurement Program.

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 Order 13384.

Recommendation. Approve by initialing below and signing the scroll at TAB A.”

Secretary of Defense approved the request on 13 March 2024, with the following: “...Ensign [Petitioner]...”

i. On 13 March 2024, Petitioner was issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) with a designator code of 2900 (Staff Corps Officer billet requiring

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Nursing specialty) in the active U.S. Navy listing block 18 (Permanent grade) ENS, block 19 (Permanent grade date) 17 November 2023, block 20 (Present Grade) ENS, and block 21 (Present grade date) 17 November 2023. Petitioner/witness signed this form on 13 March 2024.

j. On 19 April 2024, Petitioner was issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) with a designator code of 2900 (Staff Corps Officer billet requiring Nursing specialty) in the active U.S. Navy listing block 18 (Permanent grade) ENS, block 19 (Permanent grade date) 17 November 2023, block 20 (Present Grade) ENS, and block 21 (Present grade date) 17 November 2023. Petitioner/witness signed this form on 17 November 2023.

k. On 24 April 2024, Petitioner was issued official new appointment orders (BUPERS order: 1154) while stationed in [REDACTED] with an effective date of departure of June 2024. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 9 June 2024. Petitioner's intermediate (02) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 15 July 2024. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of August 2024 with a Projected Rotation Date (PRD) of August 2027.

l. On 21 May 2024, Petitioner's discharge with an honorable character of service was issued a DD Form 214 for the period of 14 December 2010 to 13 March 2024 in order to accept commission or warrant in same branch of service.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an error warranting the following corrective action. The Board concluded that in accordance with reference (b), upon successful completion of a qualifying degree, candidates will receive an appointment in the MSC in the appropriate grade for the degree attained. Petitioner completed all requirements for his degree on 17 November 2023, however on 2 February 2024 Naval Medical Leader & Professional Development Command Program Analyst Enlisted Commissioning Programs notified Petitioner that his name was omitted from rosters requesting permission to commission him when the time comes, and they would request a commissioning date of 17 November 2023. On 13 March 2024, Petitioner was issued NAVPERS 1000/4. The Board determined that based on the documentation provided, there is sufficient evidence to conclude that an administrative error resulted in Petitioner to be commissioned on 13 March 2024 instead of 17 November 2023. Additionally, in accordance with reference (c), Petitioner met the minimum prior enlisted service of 4 years and 1 days for O-1E pay for the period of 17 November 2023 to 13 March 2024.

## RECOMMENDATION

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

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Petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) issued on 13 March 2024, with a designator code of 2900 is null and void.

Petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was issued on 17 November 2023 vice 19 April 2024, with a designator code of 2900.

Petitioner was appointed to Ensing/O-1 (O-1E for pay purposes) effective 17 November 2023.

Note: That any other entries affected by the Board's recommendation be corrected. Furthermore, Petitioner met the minimum prior enlisted service of 4 years and 1 days for O-1E pay. Finally, the Defense Finance and 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.

1/14/2025

[REDACTED]

Deputy Director

Signed by: [REDACTED]