



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

[REDACTED]
Docket No. 2382-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] USNR,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) OJAG letter 5300 Ser 13/1PL0562.19 of 24 May 19
(c) SECNAVINST 1920.6D of 24 Jul 19
(d) Title 10 U.S.C. § 1145

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1412 PERS-80/0106, 28 Mar 25
(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 that the effective date of the Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) is 31 January 2025 vice 20 February 2025.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 19 August 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. On 14 March 2014, an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was issued, with a designator code of 1390 in the active U.S. Navy listing block 13 (Permanent grade) ENS, block 14 (Permanent grade date) 23 May 2014, block 15 (Present grade) ENS, and block 16 (Present grade date) 23 May 2014. Petitioner/witness signed this form on 23 May 2014.

b. In accordance with reference (b), "...Question #2. Does BCNR have the authority to adjust the effective date of a Reserve appointment to a date earlier than the appointment approval date?...Answer. Yes. Pursuant to section 1552 of reference (b) [Title 10], the SECNAV may

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correct any military record, acting through BCNR, when it is considered necessary to correct an error. The record demonstrates an error by the DON when the subject officers were not transferred in a timely manner from the ADL[Active Duty List] to the RASL [Reserve Active Status List]...Nothing in law, regulation, or policy prohibits the SECNAV from using his authority in section 1552 of reference (b) to adjust the subject officers' effective dates of appointment to the RASL."

c. In accordance with reference (c), Regular Officers Requesting Reserve Commissions Upon Resignation. a. A Regular officer requesting resignation under this enclosure who has completed the eight-year military service obligation outlined in paragraph 4a of this enclosure and who requests a Reserve commission upon resignation from the Regular Navy or Marine Corps will normally be tendered such a commission, provided a requirement exists for the officer's skill in the grade and competitive category in which the officer would serve in the Navy or Marine Corps Reserve. CHNAVPERS and DC (M&RA) will neither tender nor award Reserve commissions to such officers whose voluntary resignation request is incident to separation in lieu of trial by court-martial under enclosure (6) or in lieu of separation for cause processing under enclosure (7). Regular officers whose requests for Reserve commissions are approved will be assigned in the Ready Reserve upon resignation from the Regular Navy or Marine Corps and acceptance of the appointment in the Navy or Marine Corps Reserve.

d. In accordance with reference (d), (a) Transitional Health Care.—(1) For the time period described in paragraph (4), a member of the armed forces who is separated from active service as described in paragraph (2) (and the dependents of the member) shall be entitled to receive— (A) except as provided in paragraph (3), medical and dental care under section 1076 of this title in the same manner as a dependent described in subsection (a)(2) of such section; and (B) health benefits contracted under the authority of section 1079(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.

(2) This subsection applies to the following members of the armed forces: (A) A member who is involuntarily separated from active duty. (B) A member of a reserve component who is separated from active duty to which called or ordered under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title if the active duty is active duty for a period of more than 30 days. (C) A member who is separated from active duty for which the member is involuntarily retained under section 12305 of this title in support of a contingency operation. (D) A member who is separated from active duty served pursuant to a voluntary agreement of the member to remain on active duty for a period of less than one year in support of a contingency operation. (E) A member who receives a sole survivorship discharge (as defined in section 1174(i) of this title). (F) A member who is separated from active duty who agrees to become a member of the Selected Reserve of the Ready Reserve of a reserve component. (G) A member of the National Guard who is separated from full-time National Guard Duty to which called or ordered under section 502(f) of title 32 for a period of active service of more than 30 days to perform duties that are authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by Congress or the President and supported by Federal funds. (3) In the case of a member described in subparagraph (B) or (G) of paragraph (2), the dental care to which the member is entitled under this

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subsection shall be the dental care to which a member of the uniformed services on active duty for more than 30 days is entitled under section 1074 of this title. (4) Except as provided in paragraph (7), transitional health care for a member under subsection (a) shall be available for 180 days beginning on the date on which the member is separated from active service. For purposes of the preceding sentence, in the case of a member on active service as described in subparagraph (B), (C), (D), or (G) of paragraph (2) who, without a break in service, is extended on active service for any reason, the 180-day period shall begin on the date on which the member is separated from such extended active service.

e. On 15 November 2024, Reserve Career Transition Officer notified Petitioner that “I’m reaching out to update you on the status of your affiliation process. I understand your separation date is approaching fast. I am working to ensure no gap in service and to make your transition seamless.”

“Upon receipt of these three documents (Reserve Oath, RRA, and DD 214) your paperwork will be complete and I will submit you for SELRES Affiliation.

Processing will start about one business day after you are all required documents are received and will take about 3-6 weeks. Processing will end with you being gained in NSIPS and your orders being written. During your processing time you will not be in any system on the active duty side or the Reserve side and your CAC will not work (CAC should be turned in prior to separation). Once you are gained you will be able to get a new CAC. Also during this processing time, if you contact TRICARE to use your TAMP benefits they will not be able to see you in the system so they will not let you use them. If you need to see a doctor during this processing time, you can see one and submit the bill to TRICARE after you are gained in DEERS, which will happen shortly after you are gained in NSIPS. Your 180 days of TAMP will start one calendar day after your separation, so even though you will not be in the TRICARE system, you are technically covered. After you are gained in DEERS you will have to contact TRICARE and set up your TAMP benefits.”

f. On 28 January 2025, Reserve Career Transition Officer notified Petitioner that “RRA received and thank you. Correct, I’m tracking your separation date 30JAN2025 and the effective date is your gained date/day after separation from AD.”

g. Petitioner resigned 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 23 May 2014 to 30 January 2025 upon completion of required active service.

h. On 19 February 2025, an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was issued, with a designator code of 1315 in the inactive U.S. Naval Reserve listing block 18 (Permanent grade) LCDR, block 19 (Permanent grade date) 1 September 2024, block 20 (Present grade) LCDR, and block 21 (Present grade date) 1 September 2024. Petitioner/witness signed this form on 20 February 2025.

i. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action. "The relevant case facts are that Petitioner submitted a resignation request for 30 January 2025 in the Navy Standard Integrated Personnel System (NSIPS) on 18 April 2024. The Navy Personnel Command (NPC) Officer Resignations Section (PERS-4510) approved Petitioner's resignation request in NSIPS on 9 July 2024 and issued Petitioner's separation orders on 10 July 2024. The NPC Administrative Support Branch (PERS-804) received the request to scroll petitioner for appointment to the Navy Reserves in early December 2024 from the NPC Reserve Processing and Affiliation Center (PERS-97); however, due to holiday schedules and administrative delays, the reserve appointment scroll request was not prepared until 17 January 2025. The Petitioner's reserve appointment scroll was recommended for approval by the Deputy Chief of Naval Personnel and submitted to the Secretary of Defense (SECDEF) on 29 January 2025. The petitioner was discharged from active duty on 30 January 2025 and Petitioner's reserve appointment scroll was approved by SECDEF on 19 February 2025. The petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was prepared by PERS-97 on 4 March 2025 and accepted by the petitioner with effective date of 20 February 2025.

Recommend approval of the petitioner's request through no fault of the petitioner. Specifically, recommend PERS-97 correct petitioner's NAVPERS 1000/4 to reflect petitioner accepted the appointment on or before 31 January 2025 vice 20 February 2025 and petitioner be entitled to all pay and benefits associated with appointment in the Navy Reserves on that date."

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 determined that on 18 April 2024, Petitioner submitted a resignation request for 30 January 2025 in NSIPS, however the reserve appointment scroll request was not prepared until 17 January 2025. Petitioner was separated from active duty on 30 January 2025, and his reserve appointment scroll was approved by SECDEF on 19 February 2025. Petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was prepared by PERS-97 on 4 March 2025 and accepted by Petitioner effective 20 February 2025. The Board determined that the break in service was due to administrative delay and at no fault of Petitioner, therefore the Board determined that the acceptance date of the Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) shall be adjusted to 31 January 2025, and that his record reflects continuous service during his transition from the ADL to the RASL and that Petitioner is entitled to all pay and benefits associated with appointment in the Navy Reserves on that date.

RECOMMENDATION

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

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[REDACTED]

Petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was signed on 31 January 2025 vice 20 February 2025. Note: That any other entries affected by the Board's recommendation be corrected.

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.

8/25/2025

