



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 4876-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USNR,
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) SECNAV memo of 21 Apr 11
(c) DODINST 1310.02 of 26 Mar 15
(d) CNO memo of 14 Jun 21
(e) CNP memo of 9 Mar 23
(f) Title 10 U.S.C. § 1145

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion NPC letter 1070 PERS-9, 19 Sep 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 adjust the effective date of the Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) to 1 January 2025 vice 15 January 2025.

2. The Board, consisting of ██████████, ██████████ and ██████████ reviewed Petitioner's allegations of error and injustice on 13 January 2026 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), this memorandum supersedes reference (a). Effective immediately, you are hereby authorized to submit directly to the Office of the Secretary of Defense both original and transitional appointment scrolls pursuant to sections 531, 571, 5582, 12203, and 12241 of title 10, United States Code, except as delineated below. Transitional appointments are those appointments involving only a change in status, and not a promotion, such as appointments from active to reserve, reserve to active, line to staff, and staff to line.

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[REDACTED]

Any officer recommended for appointment under sections 531, 571, 5582, 12203, and 12241 of title 10, United States Code, whose official record contains adverse information that has not been previously vetted shall be referred to me for determination of suitability for appointment. Additionally, I specifically retain the authority to consider and submit all appointment recommendations resulting from promotion selection boards.

b. In accordance with reference (c), PURPOSE. In accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), this instruction reissues DoD Instruction (DoDI) 1310.02 (Reference (b)) to establish policy, assign responsibilities, and provide procedures for the original appointment of individuals, enlisted members, and officers as Regular or Reserve commissioned or warrant officers in or to the grades O-6 and below, pursuant to sections 531, 571(b), 12203, 12211, 12212, and 12241(b) of Title 10, United States Code (U.S.C.) (Reference (c)).

c. 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 13 September 2020 to 17 December 2020 in order to accept commission or warrant in same branch of service.

d. On 16 November 2020, Petitioner was issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) in the active U.S. Navy as an Ensign with a present grade date of 18 December 2020 with a designator code of 1830 (Special Duty Officer – Intelligence Officer). Furthermore, Petitioner/witnessed signed the oath of office on 18 December 2020.

e. In accordance with reference (d), CNO memo of 19 Oct 98 and CNO memo of 21 Jan 04, which delegate authority to the Deputy Chief of Naval Operations (Manpower, Personnel, Training & Educational, are hereby superseded. You are delegated authority to sign all documents for the Chief of Naval Operations in connection with the following selection boards and personnel actions, except as noted: a. Active and Reserve 0-6 and below Promotion Selection Boards and All-Fully-Qualified Officers Lists, with the exception of the following: Annual Promotion Plans, Administrative Briefings, and Core Precepts/Convening Orders. b. Active and Reserve 0-6 and below Continuation Selection Boards and individual Continuation Selection Board packages. c. Active and Reserve 0-6 and below promotion recommendation packages for all personnel not previously removed from a promotion list by the Secretary of the Navy. I will retain final recommendation authority for individual Active and Reserve 0-6 and below removal recommendation packages. d. Special Selection Boards. e. In-Service Procurement Boards. f. Temporary (spot) Promotion Selection Boards. g. Lateral Transfer and Redesignation Boards.

f. In accordance with reference (e), in addition to your role as Commander, [REDACTED] ([REDACTED]), you are hereby appointed [REDACTED] ([REDACTED]). In your roles as [REDACTED] and [REDACTED] and notwithstanding delegations provided below, I expect you, and your delegated subordinates, to use judgment and discretion in the execution of your duties when signing on my behalf. Actions taken without careful regard to collateral concerns or wider consequences have potential to negatively affect the Navy's overall interests. On the other hand, carefully considered and appropriately coordinated action has the potential to reinforce

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important Navy policies. Although I cannot describe every circumstance, all personnel cases or actions having potential or actual media or congressional interest or involve ongoing or potential future significant civil or criminal litigation are not considered routine. Refer these issues to me including any other issues or actions you believe may have significant impact on policy.

g. In accordance with reference (f), 10 U.S.C. §1145. Health benefits (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.

h. 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 18 December 2020 to 31 December 2024 upon completion of required active service.

i. On 14 January 2025, Petitioner was issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) in the inactive U.S. Naval Reserve as a Lieutenant Junior Grade with a present grade date of 18 December 2022 with a designator code of 1835 (Special Duty Officer – Intelligence Officer). Furthermore, Petitioner/witnessed signed the oath of office on 15 January 2025.

j. On 6 February 2025, Reserve Processing & Affiliation Center (RPAC) PERS-97 notified Petitioner that, “I regret to inform you of an administrative matter that has impacted your SELRES affiliation Due to recent administrative changes at the Office of the Secretary of Defense (OSD), there has been an unexpected delay in the signing of scrolls that directly effects your gain date. Unfortunately, this will cause a break in service. A break in service will cause a loss of Transition Assistance Management Program (TAMP) benefits, among other implications I understand the inconvenience this may cause, and I am committed to assisting you throughout

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this process. In the interim please immediately enroll into Tricare Reserve Select to prevent further exacerbation of the issue. To best rectify this situation, you will need to file a request with the Board for Correction of Naval Records (BCNR) after your affiliation to the Selected Reserves (SELRES)... We will be sending a letter for inclusion in your package to the BCNR. This letter outlines the reason and justification for record correction from Navy Personnel Command. In addition, we will reach out to BCNR to request that your correction is expedited.”

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 was separated from active duty on 31 December 2024. Due to forces outside of his control, his scroll process and subsequent appointment to the Reserve Active Status List were delayed and RPAC was not able to affiliate him as a SELRES until 15 January 2025, resulting in a break in service and the loss of his TAMP benefits. Therefore, the Board agreed that the acceptance date of the NAVPERS 1000/4 shall be adjusted to 1 January 2025, 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:

Petitioner’s Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was signed on 1 January 2025 vice 15 January 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.

1/21/2026

