



Docket No. 7410-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD IC0

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1001.39E, 26 Apr 05

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by NPC letter 5740 PERS-91, 8 Aug 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 (the Board), requesting that her naval record be corrected to show Petitioner was eligible for retirement effective 1 February 2008.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 31 March 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), Minimum Participation Requirements to Remain in an Active Status in the Navy Reserve. USNR-R and USNR-S1 are continually screened by NAVPERSCOM (PERS-4911/4913) to ensure that assigned members are participating at a level consistent with their active status. NAVPERSCOM (PERS-4911/4913) may transfer members who have completed their initial MSO and who are not earning sufficient retirement point credit to the USNR-S2. Officers so transferred may request reinstatement to the USNR-R by meeting the requirements specified in this instruction and completing a NAVPERS 1200/1 (Rev. 09/90), Ready Reserve Transfer Request Service Agreement. Enlisted members may agree to remain in the USNR-R by signing a statement on the enlistment/reenlistment contract, or on the extension documents. The member must take appropriate steps to meet minimum participation

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requirements or may again be screened from an active status. Successive requests for reinstatements will generally be disapproved...

Officers and enlisted members with 20 years or more of qualifying service, computed as of the date of the screening, need to earn at least 50 points, including membership points, each anniversary year per DODI 1200.15 of 18 September 1997. Note that the minimum participation standards for drilling members (chapter 11) are different than the standards required to remain in an active status.

b. On 25 September 1982, Petitioner enlisted in the U.S. Naval Reserve for 6 years with an Expiration of Obligated Service (EOS) of 24 September 1988.

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 25 May 1983 to 18 April 1989 within three months of expiration of enlistment.

d. 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 19 April 1989 to 22 April 1992 early separation within three months of expiration of enlistment.

e. On 30 July 1997, Petitioner reenlisted in the U.S. Naval Reserve for 2 years with a new contract end date of 29 July 1999.

f. Petitioner was released from active duty and transfer to the Naval Reserve 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 17 September 1998 to 16 September 1999 early separation within three months of expiration of enlistment.

g. On 15 October 2000, Petitioner reenlisted in the U.S. Naval Reserve for 6 years with a new contract end date of 14 October 2006.

h. On 17 September 2006, Petitioner executed an agreement to extend enlistment for 12 months with a new contract end date of 14 October 2007.

i. On 1 August 2007, Commander, Navy Personnel Command notified Petitioner that “[p]er 10 U.S.C. 10154 and 10 U.S.C. 12774(a), the Chief of Navy Personnel approved your request and authorized your transfer to Retired Reserve status effective 01 October 2007.

Upon your submission of application, per the guidelines of BUPERSINST 1001.39D, you will be eligible under 10 U.S.C. 1223 for retired pay benefits at age 60.”

j. Navy Personnel Command issued a Statement of Service for Navy Reserve Retirement on 29 July 2025 for the period of 25 September 1982 to 14 October 2007 listing the following: Qualifying Years of Service: 19 years, 9 months, and 13 days. Total Retirement Points Creditable for Pay: 4720. Date Eligible for Notification of Eligibility (Noe) For Retired Pay: blank.

k. On 31 July 2025, Commander, Navy Personnel Command (PERS-9) notified Petitioner that “[p]er 10 U.S.C. § 12731(a) the Secretary of the Navy approved your application for retired pay for nonregular service. Your initial date of eligibility for retired pay is 4 August 2025. Per your request, your authorization to retired pay is effective 4 August 2025.

Per 10 U.S.C. § 12732 and 10 U.S.C. § 12733, computation of your retired pay under 10 U.S.C. § 12739 will be based on 19 years 9 months 13 days of qualifying service, 04720 retirement points and a pay entry base date of 2 January 1988.”

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 on 1 August 2007, Navy Personnel Command erroneously issued Petitioner Retirement order and transfer authorization to retired reserve status effective 1 October 2007. At that time, Petitioner’s End of Active Service was 14 October 2007, and had only completed 19 years, 9 months and 13 days of creditable service, making her ineligible to retire. The Board agreed that this was at no fault of Petitioner, and that under this circumstance, relief is warranted. Petitioner will be extended through the end of her anniversary year to finish her qualifying year.

RECOMMENDATION

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

The record of discharge from the U.S. Naval Reserve effective 14 October 2007, is rescinded.

Petitioner executed a 12 month agreement to extend enlistment (NAVPERS 1070/621) operative on 15 October 2007.

Petitioner earned a satisfactory year after completing all training and administrative requirements to include 50 points for the anniversary year ending 29 July 2008.

Petitioner was transferred to the retired reserve, without pay, effective 1 August 2008. Petitioner completed 20 years of qualifying service.

Petitioner submitted a request for retired pay at age 60 prior to 4 August 2025 (60th birthday) and was approved by cognizant authority.

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

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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.

4/17/2026

