



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

██████████
Docket No. 8353-25
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) OJAG letter 5300 Ser 13/1PL0562.19, 24 May 19
(c) SECNAVINST 1920.6D, 24 Jul 19
(d) Title 10 U.S.C. § 1145

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by NPC letter 1070 PERS-9, 23 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 show Petitioner's Reserve affiliation date was 10 September 2022.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 12 May 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. On 23 August 2010, Petitioner enlisted in the United States Naval Reserve for 8 years with an EOS of 22 August 2018.

b. On 21 April 2011, The Secretary of the Navy notified Commandant of the Marine Corps Chief of Naval Operations Chief of Naval Personnel Deputy Commandant for Manpower and Reserve Affairs that "[t]his memorandum supersedes reference (a). Effective immediately, you are hereby authorized to submit directly to the Office of the Secretary of [War] 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

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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.

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.

This authority may further be delegated, but not below the Commander, Navy Recruiting Command or Commanding General, Marine Corps Recruiting Command. Please ensure that the Office of the Under Secretary of [War] for Personnel and Readiness (MPP/AP) is provided a single point of contact from the submitting office.”

c. On 27 April 2012, Petitioner’s Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was issued listing the following: Block 6 (Designator) 1390, block 13 (Permanent Grade) Ensign, block 14 (Permanent Grade Date) 27 April 2012, block 15 (Present Grade) Ensign, block 16 (Present Grade Date) 27 April 2012, block 18 (Type of Duty) Active, and block 24 (Component) USN. Furthermore, Petitioner and witness signed on 27 April 2012.

d. 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 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.”

e. 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.”

f. 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 [War] 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 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.”

g. On 25 August 2022, Petitioner’s Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) was issued listing the following: Block 3 (Designator) 1315, block 18 (Permanent Grade) LCDR, block 19 (Permanent Grade Date) 1 April 2022, block 20 (Present Grade) LCDR, block 21 (Present Grade Date) 1 April 2022, block 23 (Type of Duty) Inactive, and block 26 (Branch) USNR. Furthermore, Petitioner and witness signed on 2 September 2022.

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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 27 April 2012 to 9 September 2022 upon completion of required active service.

i. On 29 September 2022, Petitioner signed a Ready Reserve Transfer Request Service Agreement (NAVPERS 1200/1) listing the following: Block 9 (Activity Maintaining Service Record or Command to Which Requesting Assignment) [REDACTED], [REDACTED]. Block 10 (This agreement is in connection with assignment to) RUIC: 86748. RBSC IAP. 1) Name of Unit [REDACTED] as a DP. Furthermore, Petitioner's request was approved effective 1 October 2010 by cognizant authority.

j. 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.

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 due to duplication of the NAVPERS 1200/1 within the PRIDE record, the incorrect gain date was used causing Petitioner's break in service which resulted in the loss of his TAMP benefits and the break in service resulted in the loss of a satisfactory year. The Board determined that the break in service was due to administrative error and at no fault of Petitioner, therefore the Board determined that the approval date of the Ready Reserve Transfer Request Service Agreement (NAVPERS 1200/1) shall be adjusted to 10 September 2022, and that his record reflects continuous service during his transition from the ADL to the RASL and that Petitioner is entitled to all 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 Ready Reserve Transfer Request Service Agreement (NAVPERS 1200/1) of 29 September 2022, lists the following: Block 9 (Activity Maintaining Service Record or Command to Which Requesting Assignment) [REDACTED], [REDACTED]. Block 10 (This agreement is in connection with assignment to) RUIC: [REDACTED]. RBSC IAP. 1) Name of Unit [REDACTED] as a DP. Furthermore, Petitioner's request was approved effective 10 September 2022 vice 1 October 2022 by cognizant authority.

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.

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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.

5/18/2026

