



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

[REDACTED]
Docket No. 1980-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX-XX-[REDACTED] USMCR

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R FMR Vol. 7A, Ch. 1

Encl: (1) DD Form 149 w/attachments
(2) 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 Pay Entry Base Date (PEBD) as "10 July 1989" vice "3 July 1986".

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 1 April 2021 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 30 August 1982, Petitioner enlisted for 6 years in the U.S. Marine Corps Reserve. Petitioner's PEBD was 30 August 1982 based on Petitioner's DD Form 1966/1.

c. On 19 April 1983, Petitioner entered active duty for 4 years in the U.S Marine Corps.

d. In accordance with reference (b), The several military pay and personnel systems use a variety of dates to determine various entitlements. Among them is the date that denotes how much service a member has for the purpose of determining longevity pay rates. The Army refers to this as the "pay entry basic date," the Navy and Marine Corps refer to this as the "pay entry base date," while the Air Force calls it the "pay date." This chapter will refer to this data element

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as the “basic pay date,” which is defined as reflecting all service that is creditable towards longevity.

The member’s servicing personnel office is responsible for providing, when necessary, a statement of service that can include the basic pay date, total active federal military service date, total commissioned federal military service date, and a variety of other dates, depending on the nature of the individual member’s service. This Regulation details only the computation of the basic pay date, since Military Service personnel regulations control the computation of all other dates.

For most members who enter and serve on active duty without a break in service, the basic pay date is the date the member enters active or inactive service. If, however, there is a break in service, the time between periods of service usually is not included. Also, there are statutory periods when service in a particular component may not be counted. Conversely, there are periods for which some members are given constructive service, even though they were not actually serving on active or inactive duty. Use subparagraphs 010201.C through E to compute the basic pay date when there has been a break in service of any kind or if there is a need to include constructive service.

Service as an enlisted member in a Reserve Component, including Ready Reserve service (inactive and active) under the Delayed Entry (Enlistment) Program (DEP), before beginning active duty or an initial period of Active Duty Training (ADT), provided the Reserve enlistment was entered into before January 1, 1985.

- e. On 25 April 1990, Petitioner was discharged upon expiration of enlistment.
- f. On 22 December 1993, Petitioner reenlisted for 2 years in the U.S. Marine Corps Reserve with a new PEBD of 26 April 1986 based on Petitioner’s DD Form 1966/1.
- g. On 22 April 2006, Petitioner was discharged.
- h. On 7 July 2009, Petitioner reenlisted for 2 years in the U.S. Marine Corps Reserve with a new PEBD of 10 July 1989 based on Petitioner’s DD Form 1966/1.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2) and reference (b), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner’s PEBD in MCTFS is erroneous, and does not match the correct PEBD listed in Petitioner’s most recent DD Form 1966/1. Furthermore, Petitioner’s Career Retirement Credit Record does not match his correct PEBD. Finally, due to no fault of his own, once corrected in MCTFS a debt may be created and may create a financial hardship to Petitioner. The Board recommended that Petitioner submit DD Form 2789 (Waiver/Remission of Indebtedness Application) and that his request be approved.

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RECOMMENDATION

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

Petitioner reenlisted on 7 July 2009 with a PEBD of "10 July 1989" vice "3 July 1986".

Note: Correction could result in overpayment and indebtedness to U. S. Government. Petitioner may request a waiver by completing DD Form 2789. Furthermore, Petitioner's Career Retirement Credit Record (CRCR) should be audited and adjusted to correspond to with his correct PEBD.

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-entitled 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.

4/5/2021

[REDACTED]
Executive Director

Signed by [REDACTED]