



Marine Academy. NOTE: The midshipmen attending the U.S. Merchant Marine Academy sign contracts to join the enlisted Navy Reserve on the day they enter the Academy.

You requested that your time served in the Merchant Marine Academy be credited for retirement pay; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that time served while attending a military service academy including the U.S. Merchant Marine Academy is not creditable. The Board disagreed with your assertion that in accordance with Title 10 U.S.C. §12732, you earned a point for each day of full time service while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned. You were not on active duty for that period and you were not commissioned until after you graduated. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

2/27/2022

[REDACTED]