



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

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Docket No. 2312-22
Ref: Signature Date

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Dear █ :

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 10 May 2022. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

In accordance with DoD 7000.14-R FMR Volume 7A, Chapter 1, 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 as the "basic pay date" which is defined as reflecting all service that is creditable towards longevity.

For enlistments in a Reserve Component under Title 10, U.S.C., Section 12103(b) or (d), including enlistments under a delayed entry/enlistment program (DEP), that were entered into between January 1, 1985, and November 28, 1989, the period served in the Reserve Component before beginning active duty or an initial period of active duty training (ADT) is not creditable. For enlistments entered into on or after November 29, 1989: A period of enlisted service in a Reserve Component under 10 U.S.C. § 12103(b) or including inactive service under a DEP, is creditable service only if the member performs Inactive Duty Training before beginning active duty or an initial period of ADT.

On 12 July 1994, you enlisted for 8 years in the U. S. Naval Reserve with an expiration of obligated service of 11 July 2002. On 28 June 1995, you entered active duty in the U.S. Navy. On 30 June 2015, you were honorably transferred to Fleet Reserve upon having sufficient service for retirement.

You requested that your pay entry base date be corrected to 12 July 1994. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that because you entered into the DEP after 1985, the time you spent in the DEP is not creditable for pay purposes.

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,

6/5/2022

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Deputy Director
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