



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

[REDACTED]  
Docket No. 2891-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] [REDACTED] USNR,  
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) DODI 1215.07

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record  
(3) NPC (PERS-91) Advisory Opinion, 27 May 22

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 establish a satisfactory years of qualifying service for anniversary years ending 23 May 2012 and 23 May 2013.

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 23 June 2022 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, to include reference (b). The Board also considered, enclosure (3), an advisory opinion (AO) furnished by Navy Personnel Command (NPC)(PERS-91).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 23 June 1997 Petitioner enlisted in the United States Navy Reserve (USNR) for a term of 8 years with a contract end date of 22 July 2005. On 30 July 1998 Petitioner was discharged from the USNR to enroll in the United States Naval Academy (USNA).

b. On 1 July 1998 Petitioner entered the USNA and graduated on 23 May 2002. On 24 May 2002 Petitioner was commissioned in the USNR and on 30 April 2006 was augmented to the active component Navy.

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[REDACTED]

c. On 1 February 2009 Petitioner was released from active duty and accepted a commission in the USNR on 2 February 2009.

d. On 22 June 2012 Petitioner's anniversary year ending this date reflects 24 reserve points and not a qualifying year of service—10 total years of qualifying service (TYQS).

e. On 22 June 2013 Petitioner's anniversary year ending this date reflects 59 reserve points and a qualifying year of service—11 TYQS.

f. On 22 June 2014 Petitioner's anniversary year ending this date reflects 53 total reserve points and a qualifying year of service—12 TYQS.

g. Sometime after 5 January 2022 Petitioner's anniversary date is corrected to 24 May. The anniversary year ending 23 May 2013 reflects 36 total points and not a qualifying year of service.

h. On 10 June 2022 Petitioner's Statement of Service reflects 19 TYQS.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (3)<sup>1</sup>, the Board finds the existence of an injustice warranting the following corrective action. Petitioner's anniversary year was erroneously continued through his USNA service as 23 June. However, in accordance with reference (b), the anniversary year is established by the date the service member entered into active service or active status in a reserve component—time served in Service Academy is not creditable for pay purposes. Upon Navy Personnel Command correcting the anniversary date to 24 May, Petitioner's points redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a qualifying year of service for anniversary year ending 23 May 2013. The Board felt, under these circumstances, partial relief is warranted.

## RECOMMENDATION

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

Petitioner's Statement of Service is amended to reflect anniversary year ending 23 May 2013 reflects 50 reserve points credited and a qualifying year of service.

Note: This change will result in Petitioner earning 20 TYQS vice 19 TYQS as of 10 June 2022.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied. The Board determined Petitioner's anniversary year ending in 2012 was not a qualifying year of service prior to the adjustment.

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<sup>1</sup> Enclosure (3), 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.

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[REDACTED]

That no further changes be made to Petitioner's naval record.

That a copy of this report of proceedings 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.

7/9/2022

[REDACTED]  
Deputy Director  
[REDACTED]