



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. 3876-22
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 3 November 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 addition, the Board also considered the advisory opinion by Navy Personnel Command (NPC) letter 5730 PERS-91 of 19 September 2022, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested active duty points be applied to your Navy Reserve Statement of Service for the active duty period of 30 November 1988 through 26 May 1989 (178 days) and for the Annual Training (AT) period of 29 November 1993 through 11 December 1993 (13 days). 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 on 30 August 2022, NPC updated your Navy Reserve Statement of Service to reflect completion of the 178 days of active duty service. However, your record does not contain evidence of the Annual Training (AT) orders being executed with appropriate reporting and detachment endorsements, therefore credit was

not given. The Board noted that you may obtain copies of your Leave and Earnings Statements (LES) from Defense Finance and Accounting Service for the months of November 1993 and December 1993 by submitting a request online at <https://www.dfas.mil/customerservice/lesrequest/>. Upon receipt of the LES reflecting execution of AT orders for the aforementioned period, you can contact NPC (PERS-912) at (833) 330-6622 for guidance on submitting documentation to update your Navy Reserve retirement point record. 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,

11/14/2022

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Deputy Director

Signed by: █