



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

██████████  
Docket No. 4777-23  
Ref: Signature Date

████████████████████  
██  
████████████████████

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.

A three-member panel of the Board, sitting in executive session, considered your application on 8 February 2024. 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 considered the advisory opinion contained in Office of the Chief of Naval Operations memorandum 7220 Ser N130/23U1081 of 11 September 2023, which was previously provided to you for comment.

You were discharged with an honorable character of service and were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 19 August 1980 to 25 November 1980 to accept commission as an officer in the U.S. Naval Reserve.

On 26 November 1980, you signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Naval Reserve as an Ensign with a day of rank of 26 November 1980 with a designator code of 1395 (An Unrestricted Line Officer who is in training for duty involving flying as a pilot).

On 19 August 1991, you signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Naval Reserve as an Ensign with a day of rank of 15 August 1991 with a designator code of 1975 (An Unrestricted Line Officer under instruction in the Armed Forces Health Professions Scholarship Program (Medical/Osteopathic)).

On 20 May 1995, you were awarded Doctor of Medicine from Uniformed Services University of the Health Sciences (USUHS), ██████████, ██████████.

On 20 May 1995, you signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Naval Reserve as a Lieutenant with a day of rank of 20 January 1990 with a designator code of 2105 (A Medical Corps Officer).

In accordance with Office of the Assistant Secretary of Defense memorandum for Deputy Assistant Secretary of the Army (Military Personnel Management and Equal Opportunity Policy) Principal Deputy Assistant Secretary of the Navy (Manpower & Reserve Affairs) Deputy Assistant Secretary of the Air Force (Force Management and Personnel) Director, Defense Finance and Accounting Service (DFAS), years of service at USUHS as a medical student are creditable in computing retired pay. For example, an 0-6 with 20 years and 6 months service under 37 U.S.C. 205 (which excludes time at USUHS) is receiving basic pay for an 0-6 over 20, currently \$6,948.30. If this individual served 4 years and 6 months' time at USUHS, then upon retirement, the member is to receive retired pay computed at 62.5% of that pay, or \$4,342. The 62.5% is computed as 2.5% time 25 (20.5 + 4.5) years of service as this computation will include the USUHS time.

You were retired with an honorable character of service and were issued a DD Form 214 for the period of 12 June 1984 to 30 September 2013 upon having sufficient service for retirement.

On 21 December 2023, you were issued a Correction to DD Form 214 (DD Form 215) with a separation date being corrected: 30 September 2013 for the following: "Item No. 18. ADD: Attended USUHS from 19 August 1991 to 19 May 1995."

The Defense Finance and Accounting Service HUNT system, shows your Service Entry Date is 18 July 1980, your retirement date is 1 October 2013, and Pay Entry Base Date is 19 April 1984. Your Service Base Pay is 29 years, 5 months, and 12 days, Service Percent Multiplier is 33 years and 22 days, and Total Active Service is 29 years, 3 months, and 19 days.

You requested correction to your DD Form 214 to include the years you attended USUHS, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that your time in service is incorrect, shorting your retirement by 4 years and that your time in USUHS accrues as active duty in accordance with the memorandum above. The Board concluded that the memorandum does not allow active duty credit for years of service at USUHS as a medical student; however, it does state that the years spent are creditable for computing retired pay. According to the DFAS HUNT system, your Total Active Service is 29 years, 3 months, and 19 days. Your retired pay is based on your Service Percent Multiplier of 33 years and 22 days, which includes your service in the USUHS. The Board determined that time served as a medical student at USUHS is not creditable as active duty service and that you are being paid correctly, therefore no change to your record is warranted. 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,

2/20/2024

