



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 3634-06
19 July 2007

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 July 2007. 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, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 26 May 1982 for four years and served until you were released from active duty on 23 May 1986, a period of 3 years, 11 months and 28 days. In accordance with regulations then in effect, the beginning date of your anniversary year was changed to coincide with your entry in the Navy reserve after your release from active duty. Consequently, you were only credited with the period of active duty in the Regular Navy.

Subsequently, you continued to serve in the Navy Reserve and at the end of your anniversary year on 23 May 2006, you were credited with 20 years, 9 months and 4 days of qualifying service. The statement of service obtained from the Navy Personnel Command indicates that you are continuing to earn retirement points.

In your application, you are requesting that your record be corrected to show that you completed four years of active service so that you will have a complete qualifying year for retirement. However, regulations allow for the early release from active

duty of servicemembers whose separation date falls on a weekend or a holiday. Since you have already qualified for reserve retirement, the only benefit you would receive from a correction to your record is two days of pay and the addition of two retirement points. Since you have been treated no differently than many others who were separated early, the Board concluded that a correction to your record is not warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,


W. DEAN PFEIFFER
Executive Director