



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

█  
Docket No. 976-24  
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.

A three-member panel of the Board, sitting in executive session, considered your application on 2 July 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.

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.

In accordance with DoD 7000.14-R FMR Volume 7B, Chapter 1, the date of Initial Entry to Military Service (DIEMS) determines whether the retired pay base is the monthly basic pay of the member just before retirement or an average of the highest 36 months of basic pay applicable during the member's career. For members who first entered military service before 8 September 1980, the retired pay base is generally the final basic monthly pay that the member received upon the date of retirement. For members who entered the military service on or after 8 September 1980, the retired pay base is generally the average of the highest three years (36 months) of monthly basic pay to which the member received for any 36 months of active service whether those months are consecutive or not.

The years of service for computing retired pay for Regular retirement are generally the total of years of active service. For non-Regular (Reserve/Guard) members, the years of service

are the total of accumulated drill points combined with one point each day of active duty divided by 360.

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 9 November 1983, you enlisted in the U.S. Naval Reserve for 6 years with an EOS of 8 November 1989.

You were discharged with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 5 November 1984 to 11 August 1988 within 3 months of expiration of enlistment for immediate reenlistment.

You were discharged with an honorable character of service and were issued a DD Form 214 for the period of 12 August 1988 to 31 October 1997 upon accepting commission or warrant in same branch of service.

On 1 November 1997, you signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Navy as an Ensign with a day of rank of 1 November 1997 with a designator code of 6392 (A Limited Duty Officer (Air Traffic Control)).

You were retired with an honorable character of service and were issued a DD Form 214 for the period of 1 November 1997 to 31 August 2022 upon having maximum service for time in grade.

Defense Finance and Accounting Service HUNT system shows your retirement date of 1 September 2022, Pay Entry Base Date (PEBD) of 9 November 1983, Total Percent Multiplier/Total Active Service of 37 years, 9 months, and 26 days. Your service base pay is 38 years, 9 months, and 22 days.

You requested that your PEBD of 9 November 1983 be used for your retirement pay, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The supporting documentation submitted with your

application is regarding the retirement plans and the criteria to receive them. You have highlighted the information relating to the High-36 plan and that the DIEMS date determines which plan a member's retired pay is based on. The Board concluded that your DIEMS date is 9 November 1983, which means that your retired pay is calculated under the High-36 plan. A review of your financial record shows that you are credited with 37 years, 9 months, and 26 days of active service and your pay is based on 38 years, 9 months, and 22 days of service. This is calculated using the PEBD of 9 November 1983. The Board determined that your PEBD is already used in the calculation of your retired pay, thus could not find an error or injustice to warrant a change to your record.

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,

7/5/2024

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Deputy Director

Signed by: █