



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. 2791-24
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 3 October 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 accordance with Public Law 102-484 sections 4403 and 4464 of 23 October 1992, section 4403 (Temporary Early Retirement Authority). The purpose of this section is to provide the Secretary of Defense a temporary additional force management tool with which to effect the drawdown of military forces through 1995. During the active force drawdown period, the Secretary of the Navy may— (A) apply the provisions of section 6323 of title 10, United States Code, to an officer with at least 15 but less than 20 years of service by substituting "at least 15 years" for "at least 20 years" in subsection (a) of that section. Additional Eligibility Requirement. In order to be eligible for retirement by reason of the authority provided in subsection (b), a member of the Armed Forces shall— (1) register on the registry maintained under section 1143a(b) of title 10, United States Code (as added by section 4462(a); and (2) receive information regarding public and community service (PACS) job opportunities from the Secretary of Defense or another source approved by the Secretary and be afforded, on request, counseling on such job opportunities.

Section 4464 (Increased Early Retirement Retired Pay for Public or community service). (a) Re-computation of Retired Pay.—(1) If a member or former member of the Armed Forces retired under section 4403(a) or any other provision of law authorizing retirement from the

Armed Forces (other than for disability) before the completion of at least 20 years of active duty service (as computed under the applicable provision of law) is employed by a public service or community service organization listed on the registry maintained under section 1143a(c) of title 10, United States Code (as added by section 4462(a)), within the period of the member's enhanced retirement qualification period, the member's or former member's retired or retainer pay shall be recomputed effective on the first day of the first month beginning after the date on which the member or former member attains 62 years of age.

In accordance with DoDI 1340.19 of 17 November 1993, during retirement processing, the Military Services shall provide each retiree a copy of DD Form 2676, Validation of Public or Community Service Employment, and explain the reporting requirements and procedures for enhanced retirement credit as described in this Instruction.

In accordance with NAVADMIN 240-94 of 19 December 1994, this NAVADMIN implements the FY96 Enlisted Temporary Early Retirement Program and applies to all active-duty USN Sailors.

Applications for the FY96 Temporary Early Retirement Authority (TERA) (for the period of 1 OCT 1995 to 30 Sep 1996) will be accepted from the DTG of this message until 18 FEB 95.

All TERA retirees are required by public law to register for PACS, but they are not required to accept employment. PACS registration can be done at the nearest Military Transition Site-USUALLY, A navy family service center (FSC). (Members who do not have access to a Military Transition Site can request PACS applications from PERS-27. Completed PACS applications should be sent to their homeport FSC or nearest Military Transition Site.) Those who accept PACS employment after military retirement can earn credit for up to 20 years' retirement pay, but only for the period between their separation date and the date 20 YOS would normally have been reached.

On 30 March 1995, BUPERS REENL MGMT (PERS 27), Washington, DC notified █ that, "[s]ubject members Transfer to Fleet Reserve is authorized effective 960630...Service for transfer 15 YRS 05 MOS 10 DAS...Note: Do not retire service member until registration for PACS is completed by law, all TERA retirees are required to register for PACS prior to retirement but are not required to accept employment if service member refuses to enroll on the PACS registry advise PERS-27 and the authorization for retirement will be cancelled."

You were transferred to the Fleet Reserve 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 1 August 1989 to 30 June 1996 due to Early Retirement (15 years).

Operation Transition PACS Employer Database (No updates beyond February 2009) did not list the █.

