



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

█  
Docket No. 4016-24  
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 18 April 2023. 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.

On 8 May 2020, Commander, Navy Personnel Command, █ notified Navy Information Operations Command, █ that you were authorized to transfer to Fleet Reserve effective 30 April 2021. Furthermore, it listed a period of delayed entry from 25 September 1997 to 17 August 1998 not creditable service.

On 23 March 2021, you were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 18 August 1998 to 30 April 2021 with a net active service this period of 22 years, 8 months, and 13 days.

The Navy Standard Integrated Personnel System, Member Date Summary, shows your Pay Entry Base Date (PEBD) as 18 August 1998.

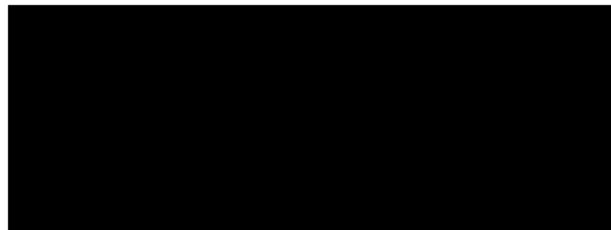
You requested correction of your PEBD from 18 August 1998 to 25 September 1997, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that a clerical error on your statement of service stated that you were in the Delayed Entry Program (DEP) from 25 September 1997 to 18 August 1998. However, the Board concluded that your DD Form 4 was signed on 25 September 1997

and clearly states that the period of time spent in the DEP is *not* creditable for pay purposes upon entry into a pay status. It does, however count towards the 8-year military service obligation you incurred. You entered active duty on 18 August 1998, and in accordance with Defense Financial Management Regulation (DoD FMR),<sup>1</sup> the basic pay date is the date the member enters active or inactive service. Additionally, in accordance with DoD FMR 7000.14-R, time in the DEP it is not creditable, therefore it cannot be used in the calculation of your PEBD. The Board determined that no change to your record is warranted.

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,

4/29/2024



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<sup>1</sup> In accordance with DoD FMR 7000.14-R, Volume 7A, Chapter 1, for most members who enter and serve on active duty without a break in service, the basic pay date is the date the member enters active or inactive service.

Service Not Creditable: Do not use any service that is not listed as creditable service to compute a basic pay date. The following list includes a few types of service that are not creditable:

The time served in a Reserve Component before beginning active duty or an initial period of Active-Duty Training (ADT) for enlistment in a Reserve Component under 10 U.S.C. § 12103(b) or (d) that was entered into between January 1, 1985, and November 28, 1989.

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 (d), including inactive service under a DEP, if the member does not perform Inactive Duty Training before beginning active duty or an initial period of ADT.

On 25 September 1997, you enlisted in the U.S. Naval Reserve for 8 years with an Expiration of Obligated Service of 24 September 2005. Block 8a states in part, "My enlistment in the DEP is in a non-pay status. I understand my period of time in the DEP is NOT creditable for pay purposes upon entry into a pay status. However, I also understand that this time is counted toward fulfillment of my military service obligation or commitment."