



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

██████████
Docket No. 6428-24
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 19 December 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.

You requested the Delayed Entry Program (DEP) time from enlistment in 1986 be considered as creditable service, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you enlisted in the DEP in the summer of 1986 and your recruiter told you that the DEP would count as time served. However, the Board noted your enlistment documents state that you enlisted in the DEP on 29 September 1987 for 8 years of service in the naval reserve of which 4 years would be on active duty starting on 15 August 1988. Your expiration of obligated service or also known as military service obligation (MSO) was 28 September 1995. You began your active duty service on 15 August 1988 and were discharged on 1 February 1989 with an entry level separation character of service and narrative reason for separation as entry level performance and conduct. You were issued a DD Form 214, Certificate of Release or Discharge from Active Duty ending on 1 February 1989 with a total period of active service as 5 months and 17 days which you acknowledged by signing. In accordance with MILPERSMAN 1100-001, time served while in the DEP counts only towards fulfillment of your MSO, it does not count for time

served on active duty and it is not used to determine your pay entry base date.¹ As such, the Board determined that your DEP time between 29 September 1987 and 14 August 1988, prior to your active duty service of 15 August 1988 was not creditable service and noted that your DEP time is only used towards MSO. Therefore, a change to your naval record is not 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,

12/23/2024



¹ Clarification of the relationship of DEP, MSO, and the pay entry base date for Service members sworn in on or after 1 January 1985 is that DEP applies only towards completion of the MSO but does not apply to a pay entry base date or toward active duty service.