

DEPARTMENT OF THE NAVY

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

> Docket No. 7424-24 Ref: Signature Date

Dear

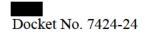
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 12 November 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 addition, the Board considered the advisory opinion contained in Commanding Officer, Navy Pay and Personnel Support Center memorandum 7220 N1 of 17 September 2024 and your response to the opinion.

In accordance with BUPERSINST 1001.39F CH-1, published on 3 May 2013, Retirement Point Credit by Activity: Active Service – One Point for each day of active service. Active service is service on Active Duty (AD) including Annual Training, AD Training, Initial AD for Training and AD for Special Work. Inactive Duty Service – Inactive duty service will be credited as follows: a. One point for each attendance at a regularly scheduled or rescheduled Inactive Duty Training (IDT) period [drill], Additional Training Period, Additional Flying Training Period, or Readiness Management Period. Chapter 12 for definitions of IDT(s). Paragraph b. A maximum of two retirement points may be credited for attendance at IDT periods in any 1 calendar day. Paragraph c. One point per 3 hours of authorized non-resident instruction successfully completed. The number of retirement points authorized for Navy non-resident correspondence courses is listed for each course.

You were released from AD (U.S. Army) with an honorable character of service and were issued a DD Form 214, Certificate of Release or Discharge from AD for the period of 27 October 2014 to 22 March 2019 upon completion of required active service.

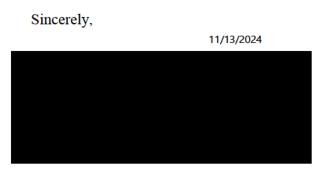
On 28 February 2019, you reenlisted in the Army National Guard for 6 years. On 7 September 2021, you reenlisted in the Navy for 4 years with an End of Active Obligated Service (EAOS) of 6 September 2025 and Soft EAOS of 6 September 2027. On 17 February 2022, you were issued a



National Guard Report of Separation and Record of Service (NGB Form 22) with an effective date of 7 September 2021. On 7 September 2024, you reenlisted for 5 years with an EAOS of 6 September 2029.

You requested to correct your active service date to 27 October 2014, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. Your record shows that you entered AD in the Army on 27 October 2014. On 22 March 2019, you were released from AD upon completion of required active service. You served in the Army National Guard until your enlistment in the Navy on 7 September 2021. You assert that, "... the Army National Guard accredits its service members with one year towards their retirement pay for every 50 AD Service Points they receive. This is referred to as a "Sat Year". Given those statistics, my time in the Army National Guard equated to at least 2 years of Active-Duty Service, and the ADSD [active duty service date] should not be brought up to 16 December 2016. Instead, it should be significantly closer, if not the same, to my original ADSD of 27 October 2014." However, the Board concluded that in accordance with MILPERSMAN 1000-030, the ADSD is the actual or adjusted date from which the amount of active military service performed is calculated and reflects all periods of active federal military service in commissioned officer, warrant officer, or enlisted status. The Board agreed that a "Sat Year" is not a year of AD awarded to you for earning 50 points. A satisfactory year is an anniversary year in which you have earned a minimum of 50 points toward a non-regular retirement. These points can be a combination of active-duty points, membership points, and points for completion of nonresident instruction. Additionally, because the period of time you spent in the Army National Guard was not active duty, your ADSD cannot be the date you originally entered AD. Your Army National Guard Annual Statement shows that you earned 111 active-duty points (3 months and 21 days). This is added to your prior Army active service of 4 years 4 months and 26 days. That total is then subtracted from 7 September 2021, the date you entered the Navy, to determine your adjusted ADSD. Navy Pay and Personnel Support Center has already adjusted your ADSD to 20 December 2016. Therefore, the Board determined that a change to your naval record is not warranted. In this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion.

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.



¹ Published on 14 March 2017, the ADSD is the actual or adjusted date from which the amount of active military service performed is calculated. The ADSD reflects all periods of active federal military service in commissioned officer, warrant officer, or enlisted status.