



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

Docket No. 10142-24
Ref: Signature Date

Dear [REDACTED],

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 11 March 2025. 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 DoD 7000.14-R Financial Management Regulation Volume 7A, Chapter 1, Active Enlisted and/or Warrant Officer Service for Members in Basic Pay Grades O-1E, O-2E, or O-3E.

Creditable Prior Enlisted Service. Commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as an enlisted member are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

In accordance with DoD 7000.14-R Financial Management Regulation Volume 7A, Chapter 1, Service as a cadet or midshipman at a military academy is always creditable service for an enlisted member who is not commissioned. For a prior service member, he/she reverts back to his/her enlisted status to complete their enlistment contract. See Table 1-1 to determine whether such service is creditable for commissioned and warrant officers.

Table 1-1. Service as Cadet or Midshipmen-Officers. Rule 1. When a member currently serving as an officer has had service as a cadet or Midshipman in any of the military academies to which appointed and member held no concurrent enlisted and/or Reserve status, then the period is not creditable.

On 24 June 2019, you signed an Annex A issued by United States Naval Academy (USNA) Preparatory School, NETC, [REDACTED], [REDACTED] listing the following: "In connection with my application to

attend the Naval Academy Preparatory School (NAPS) I understand and agree that Obligation: Midshipman Candidates who attend NAPS directly from civilian life incur no service obligation in the event that they are disenrolled, voluntarily, or involuntarily, or they later choose not to accept an appointment for the Naval Academy...Time Spent at NAPS. I understand that time spent at NAPS is creditable toward fulfillment of my active-duty Naval Reserve obligation, not creditable toward military retirement purposes....”

On 24 June 2019, you enlisted in the U.S. Naval Reserve for 2 years beginning in pay grade of Midshipman (Student).

You were released from active duty 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 23 July 2019 to 1 July 2020 with a separation code of MGU for enrollment in service academy.

On 1 May 2024, you were issued an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) with a designator code of 1160 (Unrestricted Line Officer billet for an officer in training for Surface Warfare qualification) in the active U.S. Navy listing block 18 (Permanent grade) ENS, block 19 (Permanent grade date) 24 May 2024, block 20 (Present Grade) ENS, and block 21 (Present grade date) 24 May 2024. You/witness signed this form on 24 May 2024.

You requested to adjust your pay from O-1 to O-1E, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with DoD 7000.14-R FMR Volume 7A, Chapter 1, “Creditable Prior Enlisted Service. Commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as an enlisted member are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.” Your prior active service was less than one year. Additionally, your time at the USNA is not creditable as prior active service because service as a cadet or midshipman at a military academy is only creditable service for an enlisted member who is not commissioned. Therefore, the Board determined that you do not meet the eligibility requirements to receive O1-E pay and that a change to your 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,

3/14/2025

