



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

██████████
Docket No. 11412-24
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 6 May 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 addition, the Board considered the advisory opinion contained in Assistant Commander, Navy Personnel Command for Career Progression letter 5420 PERS-835 of 10 March 2025, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with DoD 7000.14-R Financial Management Regulation Volume 7A, Chapter 1, Computation of Creditable Service. 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. If, however, there is a break in service, the time between periods of service usually is not included. Also, there are statutory periods when service in a particular component may not be counted. Conversely, there are periods for which some members are given constructive service, even though they were not actually serving on active or inactive duty. Use subparagraphs 2.1.3 through 2.1.5 to compute the basic pay date when there has been a break in service of any kind or if there is a need to include constructive service.

Other Creditable Service (with restrictions noted in this subparagraph and in subparagraph 2.2.1). Include the following periods of service... 2.1.4.4. 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;

Service Not Creditable... 2.2.1.9. For an officer, the time served while attending a military service academy including the U.S. Merchant Marine Academy.

On 14 March 1990, you enlisted in the U.S. Naval Reserve for 8 years with an Expiration of Obligated Service of 13 March 1998.

You were released from active duty and transferred to the Naval Reserve 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 1990 to 6 September 1993 in order to enter Naval Reserve Officer Training Corps Program.

In accordance with 10 U.S.C. §2106, Advanced Training; commission on completion. (c) In computing length of service for any purpose, an officer appointed under this section may not be credited with enlisted service for the period covered by his advanced training, other than any period of enlisted service performed on or after August 1, 1979, as a member of the Selected Reserve.

On 24 May 1997, ██████████ issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: Discharged this date with an Honorable Discharge of Convenience of the Government (to accept a Commission in USN). Authority: MILPERSMAN Article 3620100. Designator upon commissioning: 1195 1st Class Swimmer. Summer training completed while enrolled in the NROTC Program: ██████████ 15JUL94 - 13AUG94, FOREXTRAMID 22JUL96 - 22AUG96, ██████████ (DD 986) 24JUL95 - 18AUG95.

In May 1997, you graduated from the University of ██████████ with a Bachelor of Arts degree.

On 24 May 1997, you/witness officer signed an Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) in the active U.S. Naval Reserve as an Ensign with a designator code of 1195 (Unrestricted Line Officer who is in training for Explosive Ordnance Disposal qualification). The Authority listed is 10 USC 2106.

You resigned with an honorable character of service and were issued a DD Form 214 for the period of 24 July 1990 to 1 May 2001 upon completion of required active service.

On 31 December 2003, you were issued a Correction to your DD Form 214, (DD Form 215) with the following corrections: Block 12a (Date entered AD this period) 97 MAY 24, Block 12c (NET Active service this period) 03 11 08, Block 23 (Type of Separation) RELEASED FROM ACTIVE DUTY, and Block 26 (Separation Code) MBK.

You retired with an honorable character of service and were issued a DD Form 214 for the period of 1 November 2004 to 31 January 2022 upon having sufficient service for retirement.

On 14 February 2022, the Defense Finance and Accounting Service (DFAS) notified you that “[b]ased on official information received at this Center, your retired pay account has been established as shown on the enclosed summary.”

“Since you entered the Military after 7 September 1980, your retired pay is computed using your monthly base pay instead of your last active duty basic pay (10 USC 1407). The monthly base pay (designated below as Active Duty Base Pay) is the average of the 36 highest monthly basic pay rates you received on active duty or if you were on active duty for less than 36 months, it is the average monthly basic pay you received while serving. Service for Percent: 27 Years, 09 Months, 22 Days. Percent Multiple: 27.75 years x .025 = 69.38%.”

On 12 March 2025, Navy Personnel Command issued a Statement of Service listing the following information: Total Active Service: 24 years, 6 months, and 18 days. Total Inactive Service: 3 years, 3 months, and 4 days. Total Commissioned Service: 21 years, 5 months, and 4 days. Total Reserve Service: 4 months, and 20 days. Total Retirement Creditable: 24 years, 11 months, and 8 days.

The DFAS HUNT system shows your service entry date is 14 March 1990, your retirement date is 1 February 2022 and Pay Entry Base Date is 10 April 1994. Service base pay is 27 years, 09 months, and 21 days, service percent multiplier is 24 years, 11 months, and 8 days, and Total Active Service is 24 years, 6 months, and 18 days.

You requested a correction to creditable time in service to 27 years, 9 months, and 22 days. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that this was the original calculation upon your retirement from the Navy and that the change to reflect 24 years, 6 months, and 18 days was unjust. However, the Board concluded that your Statement of Service shows 3 years, 3 months, and 4 days as total inactive service. Per your NAVPERS 1000/20, you were commissioned under the authority of Title 10, United States Code, Section 2106, which states that, “[i]n computing length of service for any purpose, an officer appointed under this section may not be credited with enlisted service for the period covered by his advanced training, other than any period of enlisted service performed on or after August 1, 1979, as a member of the Selected Reserve.” Therefore, the Board determined that you are not entitled to additional credit for your inactive service and that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the 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.

Sincerely,

5/9/2025
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