



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

██████████
Docket No. 514-25
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.

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 29 April 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 Commander, Navy Personnel Command (PERS-91) letter 5740 PERS-91 of 11 February 2025, which was previously provided to you for comment.

On 19 October 1971, you enlisted in the U.S. Naval Reserve for 6 years with an Expiration of Obligated Service (EOS) of 18 October 1977.

You were released from active duty and transferred to the Naval Reserve with an honorable character of service and were issued a Report of Separation from Active Duty (DD Form 214N) for the period of 24 February 1972 to 23 February 1974 upon completion of required active service.

On 19 October 1977, you reenlisted for 2 years with a new contract expiration date of 18 October 1979. On 18 October 1979, you were honorably discharged.

On 7 August 1986, you reenlisted in the U.S. Naval Reserve for 4 years with a new contract expiration date of 6 August 1990. Furthermore, you signed an agreement to extend enlistment for 24 months on 4 November 1989 in order to continue your career.

On 13 December 1991, your Enlisted Performance Evaluation Report was forwarded after your Reporting Senior signed a Periodic/Regular Enlisted Performance Evaluation Report for the period of 1 December 1990 to 30 November 1991. Furthermore, block 56 (Evaluation Comments) listed the following: AT ██████████, USMC, ██████████, ██████████ 2 March 1991 to 20 March 1991.

On 4 January 1992, you reenlisted for 6 years with a new contract expiration date of 3 January 1998.

On 2 April 1996, Officer in Charge, Personnel Support Detachment, ██████████, ██████████, ██████████ issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "Transferred this date to the Naval Reserve Personnel Center. Termination from a drilling ready reserve status effected due to unsatisfactory participation. Not recommended for reaffiliation with the drilling ready reserve without prior approval of the Commander, Naval Reserve Force (Code 22)."

In accordance with 10 U.S.C. §12731. Age and service requirements. (a) Except as provided in subsection (c), a person is entitled, upon application, to retired pay computed under section 12739 of this title, if the person—(1) is at least 60 years of age; (2) has performed at least 20 years of service computed under section 12732 of this title; (3) performed the last eight years of qualifying service while a member of any category named in section 12732(a)(1) of this title, but not while a member of a regular component, the Fleet Reserve, or the Fleet Marine Corps Reserve; and (4) is not entitled, under any other provision of law, to retired pay from an armed force or retainer pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve... (f) In the case of a person who completes the service requirements of subsection (a)(2) during the period beginning on October 5, 1994, and ending on September 30, 1999, the provisions of subsection (a)(3) shall be applied by substituting the last six years for the last eight years.

On 3 January 1998, you were discharged upon completion of your contract.

On 11 February 2025, Navy Personnel Command issued a Statement of Service for Navy Reserve Retirement that covered periods of military service beginning 19 October 1971 to 3 January 1998, with total retirement points creditable for pay of 1,710, and total satisfactory years/qualifying service of 14 years. The last qualifying year you completed was for the period of 7 January 1994 to 6 January 1995.

You requested retirement, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that your statement of service is missing years and that information you were reactivated in 1990 and sent to Korea is not showing. However, the Board determined that the participation of annual training while in ██████████ for the period of 2 March 1991 through 20 March 1991 is documented on your evaluation and is already included in the point record under AT/ADT for the anniversary

year ending 6 January 1992. Additionally, you state that you were not inactive between 1978 and 1986; you were serving your reserve time. The Board noted that your original EOS was 18 October 1977 and you reenlisted on 19 October 1977 for 2 years, and on 18 October 1979, you were discharged, therefore you appropriately earned no points or qualifying years until you reenlisted in the U.S. Naval Reserve on 7 August 1986. The Board concluded that your Statement of Service lists all of your active and reserve service from 19 October 1971 through 3 January 1998. You completed 14 qualifying years of service and 1710 total points, which is well short of the 20 years of qualifying service required for a Non-Regular Retirement in accordance with 10 U.S.C. §12731. Therefore, the Board determined that a change to your 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.

Sincerely,

5/4/2025

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 35 million, and the number of people 75 years of age or older is projected to increase from 10 million to 15 million (U.S. Census Bureau, 1996).