



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd

Docket No: 02755-99

21 September 1999

LT [REDACTED] USNR
[REDACTED]
[REDACTED]

Dear Lieutenant [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested that your record be corrected to show you were on the Inactive Status List (ISL) from Fiscal Year (FY) 95 to 97; that your failures of selection by the FY 97 through 99 Reserve Staff Lieutenant Commander Selection Boards be removed; and that action to effect your discharge from the Naval Reserve on 1 October 1999 be set aside.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 September 1999. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 8 June 1999 with enclosures, a copy of which is attached. They also considered your letter dated 29 July 1999 with two supporting statements, each dated 20 August 1999.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

The Board found you did not fail of selection by the FY 97 Reserve Staff Lieutenant Commander Selection Board. They found no reason you should have been on the ISL from FY 95 through 97, noting you were removed from the ISL at your own request. You contend you did not have time to prepare for the FY 98 Selection Board, as you did not start drilling until September 1997, and the promotion board met that same fall. The Board found no indication of any error or injustice in the fact you did not start drilling until September 1997, when you had been removed from the ISL by the letter dated 1 October 1996. They

found nothing to support your assertion that this removal was not effected until August 1997. Since they found insufficient basis to remove your failures of selection to lieutenant commander, they had no grounds to set aside action to effect your discharge from the Naval Reserve on 1 October 1999.

In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

2755-99

5420
PERS-86
08 JUN 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-OOZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF
LIEUTENANT [REDACTED] USNR, [REDACTED]

Ref: (a) BCNR memo 5420 PERS-OOZCB of 19 May 99
(b) United States Code, Title 10

Encl: (1) BCNR File 02755-99
(2) PERS-9 Documents ICO Lieutenant [REDACTED]

1. Per reference (a) we are returning enclosure (1) with enclosure (2) and the following observations and recommendation that Lieutenant [REDACTED]'s petition be denied.

2. Lieutenant [REDACTED] claims he was improperly considered and failed of selection before the FY-97 Lieutenant Commander Staff Corps selection board. A review of our records (enclosure 2) reveals that in fact Lieutenant [REDACTED] failed of selection before the FY-98 and FY-99 Lieutenant Commander Staff Corps selection boards. Lieutenant [REDACTED] was placed on the Inactive Status List (ISL/S-2) on 24 October 1995; however, Lieutenant [REDACTED] had completed correspondence courses and had earned a good year for the period of 20 September 1994 through 19 September 1995. Pursuant to Lieutenant [REDACTED]'s request and in view of his active participation in the Naval Reserve, PERS-911 canceled his status in the ISL/S-2 on 1 October 1996 in order that Lieutenant [REDACTED] might receive one good year of drilling. If PERS-911 had not elected to remove him from an ISL/S-2 status, Lieutenant [REDACTED] would have lost an entire year of drilling and good participation. In view of the fact that PERS-911 canceled Lieutenant [REDACTED] ISL/S-2 status, he was properly considered by the FY-98 and FY-99 Lieutenant Commander Staff Corps selection boards and failed of selection in both instances. A complete review of Lieutenant [REDACTED]'s record reveals that there were no administrative or material errors that would warrant a removal of either failure of selection per reference (b).

3. Lieutenant [REDACTED] can be justifiably proud of his record and contributions; the negative response to his petition does not detract from his honorable service to this nation and the United States Navy.

[REDACTED]
Director, Reserve Officer Promotions,
Appointments, and Enlisted
Advancement Division



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370-5000

275549

IN REPLY REFER TO

1333
Pers-911
481-82-4440/5105
1 Oct 96

From: Chief of Naval Personnel

LT [REDACTED] R
[REDACTED]
[REDACTED] 90

Subj: CANCELLATION OF TRANSFER TO STANDBY RESERVE-INACTIVE
(USNR-S2) STATUS

Ref: (a) BUPERS ltr 1333/S2 [REDACTED]
25 Oct 95

1. Reference (a), which transferred you to Standby Reserve-Inactive (USNR-S2) status effective 24 October 1995, is hereby canceled. This action is due to information provided to this office concerning your recent participation in the Naval Reserve.

2. If you have questions concerning this matter, please contact this office, [REDACTED] (202) [REDACTED] or [REDACTED]

[REDACTED]
By direction

Copy to:
BUPERS (Pers 313C, 93)
NAVRESPERSCEN (Code 21, 40)

See [REDACTED] I give her this one

L.T.

PMIS PERSONAL DATA COLLECTION

DATE: 96/09/24 TIME: 09:24:47

ION: [REDACTED] CHANGE OFFICER DATA

-CD: I30 SSN: [REDACTED] A SC: 1 NAME: [REDACTED]

APC1	1680000	BRCL	57	APC2	1304251
DRCD1	921002	PAY	9	DRCD2	851003
O/E-IND	0	ANNIV	0919	EFF-DT	960924

APGD	J	DOR	901001	BRCL	57	A/C	TOTSF	080000
PHRSK		PEBD	850920	BRCL-DT	951024		ABCD	A5
SEX	M	DOB	580104	DTST	951024		CSIND	S86
SEPAC		LRAD	999999	REINS			BDCS	8509
BPCG		DTADR	9501	DESIG	5105	A/C	PROST	
SPCD1		SPCD2		DESIG-DT	951024		PRECD	41742000
SPCD3		SPCD4		NTLI			MORST	
		RETIN		ENLSV			RUIC	8016N

HOME ADDRESS

UNIT ADDRESS

STREET [REDACTED] VE
CITY [REDACTED]
STATE [REDACTED]

[REDACTED] RC16
[REDACTED] ET
[REDACTED] 174000

Fill: [REDACTED] want
to drill please cancell S-2 for
24 Oct 95?. He had good year
Jury anniv of 95.
Mary

NAVAL RESERVE OFFICER RECRUITING

[REDACTED]
ME [REDACTED] 918[REDACTED]
[REDACTED]

MEMORANDUM

From: Naval Reserve Officer Recruiter, Minneapolis

To: [REDACTED]

Subj: ADMINISTRATIVE ERROR ICO LT [REDACTED]

Encl: (1) Naval Reserve Annual Retirement Point Record

1. [REDACTED] been placed in the standby reserve for lack of activity from the years 92-95. LT [REDACTED] stated that he had received a letter stating that if he did not maintain a good year he would be placed in the standby (a-1) reserve. He said that he did contact PERS 911 to let them know that he would be performing correspondence courses to meet his obligation. As evidenced by enclosure one, he did perform 35 points worth of correspondence courses in 94/95. I believe that the points were never given to PERS 911, thus he was placed in the stand by reserve.

2. [REDACTED] requested that he be removed from the stand by reserve and placed in the IRR. He is attempting to affiliate with the construction battalion in a paid billet for next fiscal year.

3. Point [REDACTED]

Very Respectfully,
[REDACTED]

09-20-1996 14:17
SEP-18-88 WED 07:42

CENCR EL J

FAX NO. 3087845888

P.02 P.02

2755 99

NAVAL RESERVE PERSONNEL CENTER
4400 DAUPHINE STREET, NEW ORLEANS, LOUISIANA 70149-7800

ANNUAL RETIREMENT POINT RECORD

NAME: [REDACTED]	SSN: [REDACTED]	AGE: 32	NRA: 4000	PLC: 8016N
ADDRESS: [REDACTED]	CITY: DAVENPORT	STATE: LA	ZIP: [REDACTED]	

TO THE COMMANDER,
A SUMMARY OF YOUR PERSONNEL HISTORY AS HELD BY NAVRES PERSONNEL IS SHOWN BELOW. IT IS SUBJECT TO AUDIT AND ADJUSTMENT OF INACCURACIES, AND IS THEREFORE NOT A GUARANTEE OF POINTS OR SERVICE FOR RETIREMENT, PROMOTION OR RETIRED PAY PURPOSES. REVIEW IT CAREFULLY. IF ANY ERRORS ARE FOUND, CONTACT YOUR PERSONNEL OFFICER IMMEDIATELY AND PROVIDE DOCUMENTATION OF CORRECT SERVICE. RETURN TO NAVRES PERSONNEL CODE 80 WITHIN 30 DAYS OF RECEIPT. FAILURE TO PROMPTLY IDENTIFY ERRORS COULD IMPAIR FUTURE ACQUISITION OF POINTS AND SERVICE.

ANNIVERSARY YEAR FROM: 20 SEP 94 TO: 19 SEP 95

INACTIVE POINTS (BASED ON POINTS PER YEAR)				ACTIVE POINTS	
4.	08 OCT 94	3	13128		
4.	08 FEB 95	12	10629		
4.	08 FEB 95	12	1	10629	1
4.	08 FEB 95	6	2	10629	1

NON-CREDITABLE SERVICE PERIODS:			REMARKS:				DATE RECEIVED:
FROM DATE: TO DATE:							01/25/96
SPILLS TYPE 1	CORRESPONDENCE TYPE 1	MEMBERSHIP TYPE 1	TOTAL INACTIVE PTS.	ACCU TYPE 1	AT/NOT TYPE 1	TOTAL ACTIVE POINTS	CURRENT YEAR TOTAL POINTS
0	38	15	50	0	0	0	50

ANNUAL STATEMENT OF SERVICE HISTORY

PERIOD		INACTIVE POINTS				ACTIVE POINTS		QUALIFYING PTS/SERVICE	
FROM DATE (YY MM DD)	TO DATE (YY MM DD)	SPILLS	CORRESP.	MEMBERSHIP	INACTIVE SUBTOTAL	ACTIVE DUTY	AT/NOT	TOTAL POINTS	SERVICE (YY MM DD)
9/20/85	9/19/86	048	000	15	60	0000	016	00076	01 00 00
9/20/86	9/19/87	048	000	15	60	0000	000	00060	01 00 00
9/20/87	9/19/88	050	000	15	60	0000	000	00060	01 00 00
9/20/88	9/19/89	048	000	15	60	0000	016	00075	01 00 00
9/20/89	9/19/90	051	000	15	60	0000	000	00060	01 00 00
9/20/90	9/19/91	048	000	15	60	0000	000	00060	01 00 00
9/20/91	9/19/92	048	000	15	60	0000	016	00076	01 00 00
9/20/92	9/19/93	000	000	15	15	0000	000	00015	00 00 00
9/20/93	9/19/94	000	000	15	15	0000	000	00015	00 00 00
9/20/94	9/19/95	000	035	15	50	0000	000	00050	01 00 00

TOTAL POINTS: 00547 TOTAL QUALIFYING SERVICE: (YY MM DD) 08 00 00

NAVPERS FORM 1 (REV. 08-88) SUPERSEDING NAVPERS FORM 1 (REV. 08-88) WHICH IS OBSOLETE.

275599



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370-5000

IN REPLY REFER TO
1333/2752
Pers-911
481-82-4440/5105
25 Oct 95

From: Chief of Naval Personnel

[REDACTED]
[REDACTED]
[REDACTED] NR-S2

Subj: CHANGE IN YOUR STATUS IN THE NAVAL RESERVE

Ref: (a) SECNAVINST 1920.6A
(b) BUPERS ltr 1333 Pers-911 [REDACTED]
of 12 May 95

1. Per references (a) and (b), a Naval Reserve Officer Mobilization Disposition Board approved your transfer to Standby Reserve-Inactive (USNR-S2) status effective 24 October 1995.
2. As a member of the Standby Reserve-Inactive, you are liable for mobilization recall in time of war or national emergency declared by Congress or when otherwise authorized by law. You are not, however, eligible to drill, to earn retirement points or to be considered for promotion while in this status.
3. If you want to return to the Ready Reserve in the future, and you otherwise remain qualified, we can reinstate you provided you have completed a physical examination within the previous twelve months and you submit a Ready Reserve Agreement to us. Once you are reinstated to the Ready Reserve, you again become eligible to actively participate in the Naval Reserve program.
4. If you were separated from active duty under the Voluntary Separation Incentive (VSI) program, this transfer will not affect your VSI payments.
5. If you have any further questions concerning your status, please call this office at (202) [REDACTED] or DSN [REDACTED]

[REDACTED]
[REDACTED]
By direction

Copy to:

[REDACTED]
NAVPERS (code 21, 40)

**DEPARTMENT OF THE NAVY****NAVY PERSONNEL COMMAND****5720 INTEGRITY DRIVE****MILLINGTON TN 38055-0000**

02755-59

1920

PERS-911

17 JUN 1999

From: Commander, Navy Personnel Command

To: [REDACTED] 5105

Via: [REDACTED] Reserve Readiness Command, Region

Subj: YOUR STATUS IN THE NAVAL RESERVE

Ref: (a) SECNAVINST 1920.6A

(b) COMNAVRESFORINST 1740.1

1. Per reference (a), an officer in the permanent grade of lieutenant who has twice failed of selection for promotion to the next higher grade and has completed eight years of military service shall be honorably discharged from the Naval Reserve. A review of your record reveals that you have failed of selection for promotion at least twice and have completed eight years of military service, and therefore, you have become subject to the provisions of reference (a). Accordingly, we must process your honorable discharge from the Naval Reserve with an effective date of 1 October 1999.

2. For the via addressee: please terminate any Inactive Duty Training orders or Active Duty Training orders that are in effect or pending not later than 30 September 1999.

3. If this action results in your removal from the Selected Reserve, you may be eligible for benefits under the Reserve Transition Benefit (RTB) Program, per reference (b). Please contact your Naval Reserve Activity to determine your eligibility for benefits, if any.

4. We sincerely appreciate your dedicated service to the Naval Reserve and your country. If you have any questions, please contact this office, PERS-911, at (908) [REDACTED] 5105.

By direction

Copy to:

COMNAVPERSCEN

NAVRESPERSCEN

(advance copy)

NAVPERS

7/12/94
Date

From: LT [REDACTED] USNR-R [REDACTED]
Address: [REDACTED]

To: Chief of Naval Personnel
Subj: RESOLUTION OF NAVAL RESERVE STATUS
Ref: (a) CHNAVPERS ltr 1920 Pers-911

1. In response to reference (a):

- ☒ A. I am or plan to become an immediate active participant in the Naval Reserve program and do not desire transfer to Standby Reserve-Inactive (USNR-S2) status.
- ☐ B. I am not an active participant and desire transfer to Standby Reserve-Inactive (USNR-S2) status.
- ☐ C. I am not an active participant and have no further interest in the Naval Reserve program. I hereby request to resign my commission. I understand that I will receive an honorable discharge from the Naval Reserve if my resignation is accepted.
- ☐ D. I am not an active participant but have completed 8 or more years of service, am 37 years of age or older and desire to transfer to the Retired Reserve. If transferred to that status, I acknowledge that I am not entitled to reserve pay and benefits at age 60. However, as an honorary retiree, I will maintain my status as a commissioned officer.
- ☐ E. Other (please explain):

I am pursuing correspondence courses yet this year & will do either more courses next year or pursue obtaining an active billet.

Very Respectfully,

[REDACTED]
Signature



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370-5000

2755-49

IN REPLY REFER TO

1333/A
Pers-911
481-82-4440/5105

OCT 06 1994

From: Chief of Naval Personnel

LT [REDACTED]

Subj: YOUR STATUS IN THE NAVAL RESERVE

Ref:- (a) BUPERS ltr 1920 Pers-911 of 10 Jun 94
(b) SECNAVINST 1920.6A

1. In response to reference (a), you indicated you were actively participating or were going to become an active participant in the Naval Reserve in the near future. Per reference (b), a Naval Reserve Officer Mobilization Disposition Board approved your request to remain in an active status.
2. You will earn 15 gratuitous points per anniversary year as a member of the Naval Reserve in an active status. In order to remain in an active status, you are required to earn an additional 12 points each anniversary years for a total of 27 points. In order to obtain a qualifying years for retirement purposes, you must earn a total of 50 points in an anniversary year.
3. You may earn points either by completing correspondence courses or by drilling with a reserve unit. You may drill either in pay, as a member of the Selected Reserve (SELRES), if pay billets are available, or in non-pay as a member of the Individual Ready Reserve (IRR) in a Voluntary Training Unit (VTU).
4. Contact your nearest reserve center or reserve officer recruiter to determine the availability of billets or to order correspondence courses.

[REDACTED]
D. [REDACTED]
By [REDACTED]