



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 8513-00
21 March 2001

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy



Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) BUPERS memorandum 5730 PERS 91 of 15 February 2001
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that he had 2 weeks Active Active Duty for Training (ACDUTRA) during January 1981 and that he had over 28 qualifying years of service toward his Pay Entry Base Date (PEBD).

2. The Board, consisting of Messrs. Pfeiffer, Shy, and Silberman, reviewed Petitioner's allegations of error and injustice on 20 March 2001 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, to show that:


a. Petitioner had 2 weeks ACDUTRA from 12 January 1981 through 23 January 1981. He was authorized 2 days travel time - 1 day of travel on 11 January 1981 and 1 day of travel on 24 January 1981. Petitioner will be given credit for this 2 week period of ACDUTRA during January 1981 for retirement points.

b. That part of his request for additional time to show he had over 28 years qualifying years of service is denied. The record does not show he had any additional qualifying years of service other than what is shown on his final DD Form 214.. For informational purposes the last pay increase based on longevity, i.e., years of service is at the 26 year point. There is no increase in pay based on years of service after 26 years.

c. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


G. L. ADAMS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

21 March 2001


W. DEAN PFEIFFER
Executive Director