



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

JLP:lc
Docket No: 949-02
15 January 2003

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



Ref: (a) Title 10 U.S.C. 1552
(b) DOFFMR Volume 7B, Chapter 1, Table 1-5

Encl: (1) DD Form 149 w/attachments
(2) Series of Documents
(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 was not discharged from his Naval Reserve enlistment contract incident to his appointment to the Naval Academy on 8 June 1960 so as to establish credit for pay (longevity) purposes.

2. The Board, consisting of Messrs. McPartlin, McBride, and Ms. McCormick, reviewed Petitioner's allegations of error and injustice on 8 October 2002 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. Per reference (b) if an officer served as a cadet or midshipman in any of the military academies on or after January 1, 1953 and before June 26, 1956, and concurrently held an enlisted status in the Naval Reserve, then the period involved is creditable for basic pay purposes.

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 he was not discharged from the USNR on 24 June 1956 but was continued as a member of the reserve componet until 7 June 1960, and was discharged on that date, the day before he accepted his commission in the regular componet of the armed forces. This correction will establish his Pay Entry Base Date (PEBD) as 1 July 1955, the date of his initial reserve contract.

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

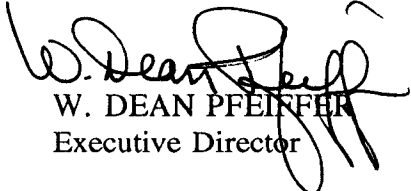
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings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

15 January 2003


W. DEAN PFEIFFER
Executive Director