

DEPARTMENT OF THE NAVY

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

> Docket No. 4269-16 JUN 0 5 2017

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subi: REVIEW OF NAVAL RECORD ICO

JSMC

Ref:

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

Encl: (1) DD Form 149 w/attachments

(2) HQMC memo 5420 MMEA dtd 6 Sep 16

(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 the Petitioner is eligible for full separation pay, and modify a certificate of release or discharge from active duty.
- 2. The Board, consisting of reviewed Petitioner's allegations of error and injustice on 2 March 2017 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.

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RECOMMENDATION

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

- a. The Certificate of Release or Discharge from Active Duty (DD Form 214), executed on or about 21 March 2016, was modified to read block 26 (separation code) "JBK1" vice "KBK1, and block 27 (Reentry code) "RE-1B" vice "RE-3P"
- b. Note: Payment of non-disability full (10%) or half (5%) separation pay is authorized to the member who has entered into a written agreement with the Headquarters, United States Marine Corps, prior to separating from active duty, to serve in the Ready Reserve for a period of not less than 3 years immediately following separation from active duty. This 3 year service obligation is in addition to any other remaining service obligation. Additional obligated service, however, has been waiver by Reserve Continuation and Transition Branch (RCT) for Enlisted Career Force Controls (ECFC).
- c. Petitioner is authorized payment of "full" Involuntary Separation Pay (ISP) based on her discharge which occurred on 21 March 2016.
- d. Note: the separation pay described above will be offset by any Veterans Disability Compensation to which Petitioner is or becomes entitled.
 - e. A copy of this Report of Proceedings will be filed in Petitioner's naval record.
- 4. 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.

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.

