



Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMCR

remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner enlisted in the U.S. Marine Corps on 24 December 1985, entered active duty on 30 May 1986 and released from active duty and transferred to the Marine Corps Reserve effective 29 May 1990. Petitioner's required obligated service expired effective 23 December 1993. See enclosures (2) and (3).

b. On 19 May 2011 Petitioner enlisted with Marine Corps Reserve, and affiliated with a Selected Marine Corps Reserve unit on 8 July 2011. Petitioner promoted to Sergeant/E-5 effective 1 April 2013 and subsequently transferred to the IRR effective 6 March 2015. See enclosures (4) and (5).

c. Petitioner reenlisted on 1 October 2018 for a term of 2-years; executed three extensions for an aggregate of 9-months. Reserve End of Current Contract (RECC): 30 June 2021. See enclosure (6).

d. In accordance with reference (b), Petitioner was eligible for the Fiscal Year 2019 (FY19) Reserve Staff Non-Commissioned Officer (SNCO) Selection Board (Individual Ready Reserve (IRR)) that convened on 23 January 2019. However, the Petitioner was not selected due to administrative errors contained in his records. Three years of NAVMC 799, Equivalent Instruction Report(s) were submitted to the Commander, Marine Forces Reserve in July 2020 and on 21 July 2020 back-dated Appropriate Duty Orders were issued via the Marine Reserve Order Writing System (MROWS). See enclosure (7).

e. Subsequent to Petitioner's drill account for anniversary years 2016, 2017, and 2018 being corrected, his Career Retirement Credit Record (CRCR) reflects total points credited of 53, 55, and 53 for the respective anniversary years. See enclosures (8) and (9).

f. On 7 January 2021, Petitioner's 15 October 2020 request for an Enlisted Remedial Selection Board (ERSB) was denied by Headquarters Marine Corps (MMPR-2). See enclosure (10).

g. On 25 April 2021, Headquarters Marine Corps (MMPR-2) provided an unfavorable advisory opinion to enclosure (1). MMPR-2 recommended disapproval of relief based on Petitioner not ensuring his CRCR was up to date prior to the board's convening date of 23 January 2019. See enclosure (13).

h. On 20 May 2021, Director, Marine Corps Individual Reserve Support Activity provided letter of request for remedial promotion consideration with additional enclosed letter of recommendation for Petitioner. See enclosures (11) and (12).

i. Petitioner provided rebuttal response. See enclosure (14)

### MAJORITY CONCLUSION

Upon review and consideration of all the evidence of record, the Board majority concluded Petitioner's request warrants partial favorable corrective action. In this regard, the Board majority considered the policy guidance of reference (c), Petitioner's personal statement in support of his request, and the positive contributions that Petitioner has made while voluntarily executing non-paid Funeral Honors Duty (FHD). The Board majority took into account Petitioner's status in the IRR and apparent communication lapse between Service and Petitioner concerning drill accountability and the CRCR. The Board majority also took into account length of time it took in determining Petitioner had performed 116 non-paid FHD periods before he or the Service realized those drills were unaccounted for in 2016, 2017, and 2018 anniversary years. The Board majority determined due to administrative errors, Petitioner was not considered for selection to SSgt/E-6 and warrants ERSB consideration. The Board majority found that enclosure (11) supported Petitioner's contention of administrative shortcomings that prevented him the opportunity to be considered for selection to SSgt/E-6 and eliminated any consideration for further service in the IRR.

### MAJORITY RECOMMENDATION

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

Petitioner authorized to extend RECC of 30 June 2021 for 4-months; new RECC 30 October 2021.

Enlisted Remedial Selection Board will be convened no later 30 September 2021, which will be 30-days prior to Petitioner's new RECC of 30 October 2021. Note: Petitioner and Marine Corps Individual Reserve Support Activity should prepare in advance for the ERSB results in order to execute reenlistment or separation action.

### MINORITY CONCLUSION

Upon review and consideration of all the evidence of record, the Board minority concluded Petitioner's request does not warrant favorable corrective action. In this regard, the Board majority considered the policy guidance of reference (c), Petitioner's personal statement in support of his request, and the positive contributions that Petitioner has made while voluntarily executing non-paid FHD. The Board minority also took into account length of time it took in determining Petitioner had performed 116 non-paid FHD periods before he or the Service realized those drills were unaccounted for in 2016, 2017, and 2018 anniversary years. However, the Board minority determined, Petitioner served long enough in the Marine Corps to understand his responsibility to ensure the accuracy of his service records and the importance of his CRCR prior to the FY19 Reserve SNCO Selection Board (IRR) convening date; therefore, concurred with the advisory opinion not to change the record.

### MINORITY RECOMMENDATION

That Petitioner's request be denied.

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4. It is certified that a 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.

5. The foregoing action of the Board is submitted for your review and action.

6/21/2021

[REDACTED]

Executive Director

Assistant General Counsel (Manpower and Reserve Affairs)

~~Reviewed and Approved Petitioner Request (Grant Full Relief)~~

**JUN 23 2021**

Reviewed and Approved Majority Recommendation (Partial Relief)

~~Reviewed and Approved Minority and Advisory Opinion Recommendation (Deny Relief)~~

[REDACTED]

Assistant General Counsel (M&RA)