



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

[REDACTED]  
Docket No. 5656-21  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1900.16F of 30 May 01

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show the service years beginning 8 February 2005 and 25 January 2015 be recorded as satisfactory years.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 26 October 2021 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, relevant portions of Petitioner's naval record, 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 accordance with reference (b), qualifying service is credited per 10 U.S.C. 12732. It provides that almost all military service prior to 1 July 1949 is creditable as qualifying service. After 30 June 1949, a year of qualifying service is credited when a minimum of 50 retirement points (including 15 gratuitous membership points) is earned and a full 365 days or 366 days during a leap year period is served during the Marine's anniversary year. See paragraph 3012.

b. Use of the terms "satisfactory Federal service" and "satisfactory service" are misleading and contrary to laws which direct the use of qualifying years in computation of years of service.

c. In a given anniversary year, retirement point credit resulting in less than a 50 point total is added to a cumulative retirement point total, but that anniversary year is not a qualifying year.

A period of 12 consecutive months 365/366 days during which a member must accrue a minimum of 50 points (including gratuitous points) for it to be credited as a qualifying year.

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For members of any Reserve component after 30 June 1965, the anniversary year begins on the date shown below. Each succeeding year will begin on the anniversary of that date, when the member does not have a break in military service of greater than 24 hours. For a member whose initial entry (or reentry after a break in service of greater than 24 hours) into a Reserve component is after 30 June 1965, the anniversary year begins on the date of entry or reentry. Each succeeding "year" begins on the anniversary of that date, when continuous service in any branch or component of the Armed Forces is maintained.

c. On 5 February 2005, Petitioner enlisted in the U.S. Marine Corps Reserve for 8 years. Furthermore, Petitioner signed a Service Agreement (1100) Platoon Leaders Class (Ground).

d. On [REDACTED] Commanding Officer, [REDACTED] notified Petitioner of his selection for the Platoon Leaders Class (PLC) program and assignment to active duty for training for the period of [REDACTED].

e. On [REDACTED] Commanding Officer, [REDACTED] notified Petitioner of Disenrollment from the Platoon Class program due to overall failure (UNSAT-6). Furthermore, on [REDACTED] Petitioner was dis-enrolled from the PLC and no longer had any contractual affiliation or obligation to any component of the U.S. Marine Corps. Petitioner was separated as an Officer Candidate Disenrollment (Code JFN3). Petitioner's description of service was "entry level separation."

f. On 25 January 2007, Petitioner enlisted in the U.S. Marine Corps Reserve for 8 years. Furthermore, Petitioner signed a Service Agreement (1100) Officer Candidate (Ground).

g. On 9 August 2007, Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 3 June 2007 to 9 August 2007. Furthermore, Petitioner was honorably discharged in order to accept commission or warrant in same branch of service.

h. On 10 August 2007, Petitioner was commissioned in the U.S. Marine Corps as a Second Lieutenant.

i. On 1 February 2011, Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 10 August 2007 to 1 February 2011. Furthermore, Petitioner was honorably released from active duty upon completion of required active service.

j. As of 2 October 2017, Petitioner's Career Retirement Credit Report (CRCR) shows Petitioner earned a year of satisfactory service ending in 4 February 2006 and 4 February 2016.

From 5 February 2005 to 4 February 2006 with 53 points.  
From 5 February 2006 to 4 February 2007 with 15 points.  
From 5 February 2015 to 4 February 2016 with 51 points.

k. As of 5 October 2021, Petitioner's CRCR shows Petitioner lost 2 years (5 February 2005 to 4 February 2006 and 5 February 2015 to 4 February 2016) of satisfactory service after anniversary year was changed.

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From 8 February 2005 to 5 July 2005 with 45 points.  
From 25 January 2015 to 24 January 2016 with 37 points.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b), the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that upon Petitioner's affiliation into the Marine Corps Reserve after a break in service, his anniversary year was erroneously established as his previous anniversary date of 5 February 2005. When Petitioner's anniversary year was corrected, he lost a satisfactory year ending on 24 January 2016, therefore the Board concluded that he should be awarded a satisfactory year for that year. However, the Board concluded that Petitioner's request to record 2005 as a satisfactory year should be denied. Because Petitioner did not serve a full year, it cannot be recorded as satisfactory year even if he had earned enough points.

## RECOMMENDATION

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

Petitioner completed all training and administrative requirements to include 50 points for the anniversary year ending 24 January 2016. Note: To accomplish this, points must be transferred from anniversary year ending 24 January 2017, as necessary.

That part of the Petitioner's request for corrective action that exceeds the foregoing is denied.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

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. 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/20/2021

[REDACTED]  
Deputy Director  
[REDACTED]