



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

[REDACTED]
Docket No. 198-22
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) DODI 1215.07

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by HQMC RAP of 6 Dec 21
(3) Petitioner's Naval Record

1. Pursuant to the provisions of reference (a), Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to establish satisfactory years of qualifying service for anniversary years ending 8 May 2015 and 8 May 2016.

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 February 2022 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

- a. On 2 November 2005 Petitioner entered the Navy Reserve Officer Training Corps (NROTC).
- b. On 8 May 2008 Petitioner completed NROTC.
- c. On 9 May 2008 Petitioner was commissioned in the United States Marine Corps.
- d. On 27 May 2008 Petitioner entered active duty and on 31 July 2013 was released from active duty and transferred to the USMCR Individual Ready Reserve.
- e. On 23 October 2014 Petitioner transferred to Individual Mobilization Augmentee status.
- f. On 2 November 2015 Petitioner's anniversary year ending this date reflects 50 total points credited and a satisfactory year of qualifying service.
- g. On 2 November 2016 Petitioner's anniversary year ending this date reflects 51 total points credited and a satisfactory year of qualifying service.

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h. After 2 November 2016 Petitioner's anniversary date was corrected to 9 May. The anniversary year ending 8 May 2015 reflects 30 total points credited and unsatisfactory year of qualifying service. The anniversary year ending 8 May 2016 reflects 45 total points credited and unsatisfactory year of qualifying service.

i. On 14 February 2022 the Marine Corps Total Force System, Career Retirement Credit Record (CRCR) reflects eight years of total qualifying service.

j. 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. Enclosure (2)

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. Petitioner's anniversary year was erroneously started on 2 November. However, in accordance with reference (b), the anniversary year is established by the date the service member entered into active service or active status in a reserve component; time served in NROTC is not creditable for pay purposes. Upon the Marine Corps correcting the anniversary date to 9 May, Petitioner's points were redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a satisfactory year for anniversary years ending 8 May 2015 and 8 May 2016. The Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's CRCR is amended to reflect anniversary year ending 8 May 2015 and 8 May 2016 have 50 total points credited per year and a satisfactory year of qualifying service per year.

Note: This change will result in Petitioner earning 10 total years of qualifying service (TYQS) vice eight TYQS as of 14 February 2022.

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.

3/16/2022

[REDACTED]

Deputy Director

[REDACTED]