



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

[REDACTED]
Docket No. 203-22
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 of 06 Dec 21
(3) 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 establish a satisfactory year of qualifying service for anniversary year ending 27 May 2018.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 3 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 30 June 2000, Petitioner entered the United States Naval Academy (USNA).
- b. On 27 May 2004, Petitioner graduated from the USNA.
- c. On 28 May 2004, Petitioner was commissioned in the United States Marine Corps Reserve (USMCR) – C1 status.
- d. On 1 May 2005, Petitioner transferred to the United States Marine Corps and on 1 February 2017 was released from active duty and transferred to the USMCR Individual Ready Reserve.
- e. On 19 December 2017, Petitioner transferred to a Selected Marine Corps Reserve unit.
- f. On 29 June 2018, Petitioner's anniversary year ending this date reflects 60 total reserve points and a satisfactory year of qualifying service.

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g. Sometime after 8 September 2021 Petitioner's anniversary date is corrected to 28 May. The anniversary year ending 27 May 2018 reflects 43 total reserve points and unsatisfactory year of qualifying service.

h. On 31 January 2022, Marine Corps Total Force System Career Retirement Credit Record (CRCR) reflects 16 years of total qualifying service.

i. 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. Petitioner's anniversary year was erroneously started on 30 June. 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 Service Academy is not creditable for pay purposes. Upon the Marine Corps correcting the anniversary date to 28 May, Petitioner's points were redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a satisfactory year for anniversary year ending 27 May 2018. 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 27 May 2018 has 50 total reserve points and a satisfactory year of qualifying service.

Note: This change will result in Petitioner earning 17 total years of qualifying service (TYQS) vice 16 TYQS as of 25 January 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.

3/11/2022

[REDACTED]
Deputy Director
[REDACTED]