



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

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Docket No. 3235-22
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 15 December 2022. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinions contained in Headquarters Marine Corps (HQMC) memorandum █ and █ and your response to the opinions.

You requested to correct your military record; specifically your rank to Lance Corporal (LCpl), Reserve retirement credit, and service medals and awards. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that in accordance with Marine Corps Order P1400.32C, the Commanding General, Marine Corps Reserve Support Command, was the delegated authority to promote members of the Individual Ready Reserve (IRR) to the grades of Private First Class (PFC) and LCpl. The criteria for promotion included: required time in service computed from the pay entry base date as of the first day of the month in which promotion is effected; minimum of 9-months in grade for PFC, minimum service of 6 months in the IRR, and earned at least 27 points in the last 12 months.

A review of your record indicates you promoted to LCpl on 1 April 1987. However, on 16 March 1990 you were reduced in rank to PFC and to Private on 16 April 1990. Thereafter, you

promoted to PFC while in the Marine Corps Reserve. Although HQMC could not confirm your date of rank to PFC in the Marine Corps Reserve, more than likely you promoted on 1 November 1990. This means, your date eligible for promotion to LCpl would have been 1 July 1991 but because you did not earn 27 points within the previous 12 months you were ineligible for promotion to LCpl. The Board made this determination after HQMC updated your Career Retirement Credit Record to include points earned from your enlistment date of 5 June 1985 to your date of discharge on 4 June 1993 as you requested.

Regarding your request to correct your service medals and awards; receive the Marine Corps Good Conduct Medal (MCGCM), the Selected Marine Corps Reserve Medal (SMCRM), National Defense Service Medal (NDSM), the Armed Forces Reserve Service Medal (AFRSM), and a Navy and Marine Corps Achievement Medal (NMCAM). The Board found that you were awarded the NDSM. Conversely, the Board resolved that you do not meet the criteria for the MCGCM, SMCRM, and AFRSM in accordance with Secretary of the Navy Instruction 1650.1 (series). Specifically, the MCGCM requires greater than three continuous years on active duty; you did not complete the requisite active duty service time. The SMCRM is awarded to members of the Selected Marine Corps Reserve who fulfilled designated service requirements within any four-year period of service in the organized Marine Corps Reserve. Your record shows that you did not complete four satisfactory years from the date entered initial active duty for training. The AFRSM requires enlisted member of the Reserve components to complete 10 years of honorable satisfactory service performed within a period of 12 consecutive years; you did not meet this requirement. Lastly, the Board could not find, nor did you provide evidence of you being submitted for or awarded a NMCAM. In this connection, the Board substantially concurred with the comments contained in the advisory opinions.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

12/23/2022

