Docket No. 4938-22
Ref: Signature Date

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 8 November 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 also considered the advisory opinion by Headquarters Marine Corps (HQMC) memorandum 1400/3 of 17 August 2022 and HQMC memorandum 1650 MMMA-3A of 1 September 2022, which were previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

You requested your record to reflect the correct time and grade on your Certificate of Release or Discharge from Active Duty (DD Form 214) ending on 25 February 1984; awarding of a Marine Corps Good Conduct Medal (MCGCM); reenlistment verification, and awarding of the rifle expert badge. 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 your promotion to the ranks of Private First Class/E-2 through Sergeant/E-5 occurred while in the Reserves after your 25 February 1984 release from active duty. Therefore, correction to your active duty DD Form 214 is not warranted. Furthermore, the Board noted that a DD Form 214 is only issued for active duty service, thus your grade of E1 reflects the proper grade at the time your DD Form 214 was issued.

Regarding the MCGCM, the Secretary of the Navy Instruction 1650.1 (series) indicates the medal is awarded to service members who serve any 3-years of continuous active duty after 10 December 1945, however, you did not meet this requirement. Conversely, you were awarded the Selected Marine Corps Reserve Medal, which is the Reserve Component equivalent to MCGCM. Additionally, the Board could not find, nor did you provide evidence you ever qualifying as an expert with the rifle, thereby rendering you ineligible for the rifle expert badge. Lastly, you may request a statement of service from HQMC, Manpower Management Support Branch (MMRP-10) by emailing a request to smb.manpower.mmrp-10@usmc.mil. Upon receipt, you can provide the statement of service to the Department of Veterans Affairs (VA) to determine your eligibility for a VA loan. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

11/16/2022

Deputy Director
Signed by