



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

[REDACTED]
Docket No. 5729-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED]
XXX XX [REDACTED] USMCR

Ref: (a) Title 10 U.S.C. § 1552
(b) MARADMIN 479/21

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 reflect a satisfactory year of service for anniversary year ending 12 January 2021.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 August 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 23 January 2018, Petitioner was assigned to Marine Corps Reserve Individual Mobilization Augmentee (IMA) status.

b. On 12 January 2021, Petitioner's anniversary year ended with 19 inactive duty points, 12 active duty points for a total of 31 points and an unsatisfactory qualifying year of service.

c. On 19 August 2021, Petitioner discharged from Marine Corps Reserve for Interdepartmental Transfer with 20 years total years qualifying service (TYQS) and no unexcused absences in the preceding 12 months.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded reference (b)¹ promulgated after

¹ Reference (b), the first General Officer or Senior Executive Service-equivalent, in the Reserve Component Marine's chain of command has the authority to grant up to 29 points in the computation of retired pay for periods unable to be performed due to travel/duty restrictions. Deputy Assistant Secretary of the Navy (Military Manpower and Personnel) retains the authority to grant 30 to 35 points. One of the criteria to receive the inactive point credit was the period of the days of active service or periods of

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Petitioner's discharge from the Marine Corps Reserve but authorization was retroactive. Although the scheduled drill periods could not be determined, the Board extended latitude due to Petitioner's IMA status and subsequent transfer to another Service prior to reference (b) being published; therefore, under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's Career Retirement Credit Record is amended to reflect anniversary year ending 12 January 2021 has 50 total points credited and a satisfactory year of qualifying service in accordance with reference (b).

Note: This change will result in Petitioner earning "21" vice "20" TYQS prior to discharge from the Marine Corps on 19 August 2021.

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.

9/8/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]

drill or equivalent instruction must have been scheduled to be performed by the Marine requesting credit on or after 1 March 2020, and on or before the date the national emergency declared in Proclamation 9994 ends.