



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. 1244-23
Ref: Signature Date

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Dear Petitioner:

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 7 March 2023. 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.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to restore your grade upon separation to corporal (Cpl/E-4). The Board considered your contention that due to continuing problems with alcohol and being a student at █ State University you missed some drills during 1997. You claim that you were reduced to lance corporal (LCpl/E-3) on 8 June 1997, during August 1997 you entered inpatient alcohol rehabilitation for a second time, and during October 1997 you were transferred to the Inactive Ready Reserve (IRR) as a private first class (PFC/E-2). You also claim that during your bouts with alcoholism you never received any kind of help from the reserve unit. Service members struggling with addiction in the 1990s were not afforded the same type of care that those of the post-9/11 generation receive—especially reservists. As evidence,

you furnished your leave and earning statements and correspondence informing you of the reduction to LCpl.

The Board, however, determined that you were properly reduced in grade due to your unsatisfactory participation in required drills. In this regard, the Board noted that you were administratively reduced to LCpl, then subsequently reduced to PFC for unsatisfactory participation. The Board also noted that you were issued numerous page 11 entries not recommending you for promotion due to unsatisfactory drill participation. The Board noted, too, that according to your Career Retirement Credit Report, 1997 was not a satisfactory year and you accumulated no active duty points. According to Marine Corps Reserve Administration Management Manual (MCRAMM), your unexcused absences constituted unsatisfactory participation, and in unsatisfactory participation cases, a member may be administratively reduced to the next lower grade.

The Board noted that the MCRAMM provides guidance for excused absences, but found no evidence that you submitted a request to excuse your absences for being in alcohol rehabilitation treatment. The Board also found no evidence of your attempts to attend or to make up missed drills, and you provided none. Based on your record of unsatisfactory participation and evidence you incurred your alcohol problems as a result of your Reserve service, the Board concluded your arguments of injustice lacked merit. Therefore, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action to your paygrade. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

3/23/2023

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Executive Director

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