



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

██████████
Docket No. 1608-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████
██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 7220.52E of 6 Jun 06

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by HQMC ltr 1000 IID, 14 Mar 23
(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 show Petitioner was eligible for and received Foreign Language Proficiency Pay (FLPP) for the period of June 2006 to December 2007.

2. The Board, consisting of ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 16 January 2024 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 12 December 2000, Petitioner was assigned PMOS 7588 (Naval Flight Officer).

b. On 5 June 2006, Defense Language Institute, Foreign Language Center, ██████████
██████████ issued an Official Transcript for Chinese-Mandarin Basic.

c. On 6 June 2006, Reporting Officer signed a Language Proficiency Questionnaire (DA Form 330) Foreign Language Proficiency type CM, S-PEAK test score 20, skill level 3 (17 May 2006), R-READ test score 16, skill level 1 (31 May 2006), and L-LISTEN test score 06, skill level 1 (24 May 2006).

d. On 8 June 2006, Petitioner took the Foreign Language Proficiency test H SCOOOL B, type CMN, S-PEAK test score 20, skill level 2, R-READ test score 16, skill level 2+, and L-LISTEN test score 06, skill level 1, from 8 June 2006 to 11 December 2006.

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e. On 8 June 2006, Petitioner successfully completed the 63-week Basic Program of Instruction in the Chinese-Mandarin Language at the Defense Language Institute, Foreign Language Center, Presidio of Monterey, California.

f. On 12 December 2006, Petitioner took the Foreign Language Proficiency test D DLPT4J B, type CMN A, R-READ test score 30, skill level 3, and L-LISTEN test score 16, skill level 1+, from 8 June 2006 to 11 December 2007.

g. On 21 December 2006, Petitioner was assigned ADMOS1 8243 (Foreign Area Officer-[REDACTED]).

h. On 2 April 2007, Petitioner's Reporting Senior signed Petitioner's USMC Fitness Report (NAVMC 10835A) for the period of 1 May 2006 to 7 July 2006 while he was a student located at Marine Corps Detachment, Defense Language Institute.

i. On 30 May 2017, Petitioner was assigned ADMOS2 8228 (Regional Affairs Officer-[REDACTED]).

j. On 19 July 2007, Petitioner's Reporting Senior signed Petitioner's USMC Fitness Report (NAVMC 10835A) for the period of 7 July 2006 to 19 July 2007 while he was a Foreign Area Officer Student located at [REDACTED].

k. 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 partial 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 partial corrective action. The Board concluded that Petitioner scored a 2 on the CM Oral Proficiency Interview (OPI) on 17 May 2006 and he scored a 2+ on the CM Defense Language Proficiency Test (DLPT), reading modality, on 6 June 2006. Per reference (b),¹ Petitioner should have received FLPP for Chinese Mandarin at the schedule A rate of \$250.00 per month. Petitioner's first qualifying score from the 17

¹ Reference (b), FLPP entitlement certification requires that all qualified Marines must have tested within the last 12 months as proficient in a foreign language using the current version of the DLPT or other test designated by the Commander of the Defense Language Institute, Foreign Language Center. The DLPT is the standard DOD test for determining proficiency in a foreign language and, when available, is the only approved test on which to base the receipt of FLPP. In order to continue to meet eligibility requirements for continuous FLPP entitlement, qualified Marines must re-certify annually. DLPT versions III, IV, and 5 contain three sub tests: reading, listening, and speaking. FLPP entitlement is awarded based on a minimum qualifying proficiency of level 2 in any 2 of the 3 subtests. During the annual in-service retest of the language, Marines will be administered the reading and listening subtests of the DLPT. (a) FLPP entitlement will be awarded based on current DLPT proficiency levels in accordance with the three payment levels below. Utilizing the applicable FLPP Category award level matrix, monthly pay amounts are computed by correlating the combined DLPT proficiency scores for the highest two DLPT subtests taken in the language (listening/reading/speaking) with the appropriate monthly pay schedule (e.g., 3/2/1+ would be paid at the 2+/2 rate). (b) The minimum qualifying proficiency level approval for FLPP entitlement on all DLPT subtests (reading, writing, and listening) is level 2. FLPP Payment Schedule A. FLPP A is authorized for Marines regardless of rank or billet with a current DLPT score of 2/2 or higher in any language listed on the DOD and/or Marine Corps Immediate Investment list with the exception of languages identified by USD(P&R) as being "dominant in the force." FLPP Schedule A lists \$250.00 per month for scores of 2+/2 or 2/2+.

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May 2006 CM OPI was certified by his Reporting Officer on 6 June 2006 and that score was valid until 16 May 2007; therefore, he was eligible for FLPP from 6 June 2006 to 16 May 2007.

RECOMMENDATION

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

Petitioner's FLPB payment schedule 1, category A, was authorized for a score of 2/2+ with a monthly payment of \$250.00 a month, for the period of 6 June 2006 to 16 May 2007.

The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine if Petitioner is due any back pay.

That no further changes be made to Petitioner's naval record.

That 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.

1/25/2024

[REDACTED]