

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

> Docket No. 5484-23 Ref: Signature Date

- From: Chairman, Board for Correction of Naval Records
- To: Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD ICO XXX XX **DEC**/**DEC** USMCR
- Ref: (a) Title 10 U.S.C. § 1552 (b) DoDI 1215.07
- 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 establish a satisfactory year of qualifying service for anniversary year ending 21 March 2018.

2. The Board, consisting of **Constant**, **Constant**, and **Constant** reviewed Petitioner's allegations of error and injustice on 5 October 2023 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 1 May 1994, Petitioner enlisted for entry into the Navy Reserve Officer Training Corps (NROTC). Petitioner attended NROTC from 17 July 1994 to 21 March 1996.

b. On 22 March 1996, Petitioner commissioned in the United States Marine Corps and served on active duty until released and transferred to the U.S. Marine Corps Reserve on 1 July 2001.

c. On 2 July 2001, Petitioner joined the U.S. Marine Corps Reserve Individual Ready Reserve and thereafter transferred to the Selected Marine Corps Reserve on 6 July 2001; anniversary year established as 1 May to 30 April.

d. On 30 April 2018, Petitioner's anniversary year ending this date reflected 60 total reserve points and a satisfactory year of qualifying service.

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e. On 15 December 2021, Petitioner is notified of correction to his anniversary date from 1 May to 22 March. Subsequent to the correction, Petitioner's anniversary year for 2018 reflects 41 total reserve points and an unsatisfactory year of qualifying service.

f. On 21 June 2023, Petitioner's Career Retirement Credit Record (CRCR) reflects 26 years of total qualifying service.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Petitioner's anniversary year was erroneously started on 1 May. However, in accordance with reference (b), the anniversary year is established by the date the service member entered into active service or active status in a reserve component; time served in NROTC is not creditable. Upon the Marine Corps correcting the anniversary date to 22 March, Petitioner's points were redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a satisfactory year for anniversary year ending 21 March 2018. The Board determined under these circumstances, relief is warranted.

## RECOMMENDATION

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

Petitioner's CRCR is amended to reflect anniversary year ending 21 March 2018 has 50 total reserve points and a satisfactory year of qualifying service.

Note: This change will result in Petitioner earning 27 total years of qualifying service (TYQS) vice 26 TYQS as of 21 June 2023.

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.

