



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

█
Docket No. 4907-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █
█ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MARADMIN 199/19, FY19 MECEP, ECP, RECP, AND MCP-R Board Results
(c) MCO P1400.32D
(d) MARADMIN 321/22, FY22 Approved Selections to GySgt

Encl: (1) DD Form 149 w/enclosures
(2) Petitioner, ETP ltr 1400 MECEP, 5 May 23
(3) CMC (M&RA) ETP Approval ltr 1400 M&RA, 22 Jun 23
(4) CMC (MMPB-1) ltr 1420/2 MMPB-1, 25 Jan 24
(5) CMC (M&RA) MFR 1400 M&RA, 7 Aug 23
(6) Petitioner ETP ltr 1400 WHR, 31 Jan 24
(7) CMC (MMPB-1) ltr 1420/2 MMPB-1, 18 Apr 24

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 advancement to E7 at the time of temporary officer appointment.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 14 May 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 records, 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 as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. On 28 March 2019, pursuant to reference (b), Petitioner was selected by the Fiscal Year (FY) 2019 Marine Corps Enlisted Commissioning Education Program (MECEP) Selection Board. Pursuant with reference (c), participants in the MECEP program may be noncompetitively selected for promotion based on their individual merits.

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c. On 5 May 2023, Petitioner requested an exception to policy (ETP) for remedial promotion consideration to Gunnery Sergeant by the Fiscal Year (FY) 2022 GySgt Promotion Selection Board due to his inability to attend the Infantry Unit Leaders Course (0369), a required military occupational school (MOS) Professional Military Education (PME) course, while participating in the MECEP program. On 25 January 2024, the Commandant of the Marine Corps (DC, M&RA) granted his request for the FY 2023 GySgt Promotion Selection Board. However, the Promotions Branch (MMPB-1) denied his request for FY 2022 because his request deemed not timely. See Enclosures (2) through (5).

d. On 31 January 2024, Petitioner resubmitted his request as directed by MMPB-1 with the appropriate endorsement letters for remedial promotion consideration for FY 2022 GySgt Selection Board. On 18 April 2024, Promotions Branch (MMPB-1) approved his request and determined that he was selected to the rank of GySgt for FY 2022 with a date of rank of 1 December 2022. However, pursuant to para 3600 of reference (c), they informed Petitioner that they are not authorized to effect promotions beyond six months and that any remedially selected Marine promoted to a rank older than six months must petition this Board for correction to their effective date and payment of backpay and allowances pursuant with reference (a).

e. Petitioner contends that his promotion to GySgt is incorrect and that his promotion to GySgt by the FY 2022 GySgt Selection Board was approved but they cannot approved requests greater than six months.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the Headquarters Marine Corps (DC, M&RA) approval for the exception to policy at enclosure (5) which waived the 0369 PME requirement while in the MECEP Program as well as Headquarters, Marine Corps (MMPB-1) remedial promotion to GySgt by the FY 2022 Promotion Selection Board for the Petitioner, the Board finds the existence of an error warranting corrective action. The Board noted that Petitioner took all reasonable steps in requesting the ETP which was favorably approved by DC, M&RA. Thus, the Board substantially concurred with Headquarters, Marine Corps recommendation that Petitioner's request for advancement warrants the requested relief.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected to indicate advancement to E7 effective 1 December 2022.

That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

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

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5/31/2024

