



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

██████████  
Docket No. 10067-24  
Ref: Signature Date

██████████  
████████████████████  
██████████

Dear ██████████,

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.

A three-member panel of the Board, sitting in executive session, considered your application on 18 March 2025. 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. In addition, the Board considered the advisory opinion contained in Headquarters, U.S. Marine Corps memorandum 1820 MMSR-5 of 31 October 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would 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.

You were released from active duty with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 27 November 1991 to 15 October 1992 upon voluntary discharge for early release program-SSB. Furthermore, you completed 16 years and 3 days of active service.

On 15 April 1997, you reenlisted in the U.S. Marine Corps Reserve for 3 years with a Reserve Expiration of Current Contract of 14 April 2000.

On 12 March 1999, Commanding General, Marine Corps Reserve Support Command notified you that “[p]er the authority contained in reference (a) [MCO P1001R.1], you were transferred

from the IMA [Individual Mobilization Augmentee] program to the IRR [Individual Ready Reserve] effective 22 February 1999. Your service record book, annotating the transfer, will be delivered to Mod B located in the IRR Division (IRRD).”

On 29 April 1999, your Reporting Senior signed your RT USMC Fitness Report (NAVMC 10835E) for the period of 15 April 1999 to 28 April 1999 while you were a Detachment SNCOIC. Furthermore, block 1g (PMOS) listed 0369 and block 1h (BILMOS) listed 0369.

In accordance with 10 U.S.C. §12731. Age and service requirements. (a) Except as provided in subsection (c), a person is entitled, upon application, to retired pay computed under section 12739 of this title, if the person—(1) is at least 60 years of age; (2) has performed at least 20 years of service computed under section 12732 of this title; (3) performed the last eight years of qualifying service while a member of any category named in section 12732(a)(1) of this title, but not while a member of a regular component, the Fleet Reserve, or the Fleet Marine Corps Reserve; and (4) is not entitled, under any other provision of law, to retired pay from an armed force or retainer pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve.

(b) Application for retired pay under this section must be made to the Secretary of the military department, or the Secretary of Transportation, as the case may be, having jurisdiction at the time of application over the armed force in which the applicant is serving or last served.

(c)(1) A person who, before August 16, 1945, was a Reserve of an armed force, or a member of the Army without component or other category covered by section 12732(a)(1) of this title except a regular component, is not eligible for retired pay under this chapter unless—(A) the person performed active duty during World War I or World War II; or (B) the person performed active duty (other than for training) during the Korean conflict, the Berlin crisis, or the Vietnam era.

(d) The Secretary concerned shall notify each person who has completed the years of service required for eligibility for retired pay under this chapter. The notice shall be sent, in writing, to the person concerned within one year after the person completes that service. The notice shall include notice of the elections available to such person under the Survivor Benefit Plan established under subchapter II of chapter 73 of this title and the Supplemental Survivor Benefit Plan established under subchapter III of that chapter, and the effects of such elections.

(e) Notwithstanding section 8301 of title 5, the date of entitlement to retired pay under this section shall be the date on which the requirements of subsection (a) have been completed.

(f) In the case of a person who completes the service requirements of subsection (a)(2) during the period beginning on October 5, 1994, and ending on December 31, 2001, the provisions of subsection (a)(3) shall be applied by substituting “the last six years” for “the last eight years.”

On 14 April 2000, you were Honorably discharged, and you were issued a Career Retirement Credit Record (CRCR) that covered periods of military service beginning 30 July 1976 to 14 April 2000, with a total points credit of 6,298, and total satisfactory years/qualifying service of 19 years. The last qualifying year you completed was for the period of 30 July 1997 to 29 July 1998.

You requested to change your discharge to a retired status; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with 10 U.S.C. §12731, a person is entitled, upon application, to retired pay computed under section 12739 of this title, if the person... has performed at least 20 years of service computed under section 12732 of this title. In accordance with your Career Retirement Credit Record, you completed 19 years of qualifying service. The Board determined that you did not meet the 20 qualifying years to meet the eligibility for retirement and that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion.

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,

4/4/2025

