

DEPARTMENT OF THE NAVY

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

> Docket No. 74-25 Ref: Signature Date

Dear ,

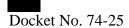
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found 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 27 May 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 15 January 2025 and your response to the opinion.

On 5 May 2016, you enlisted in the U.S. Marine Corps Reserve for 8 years with an Expiration of Obligated Service of 4 May 2024.

On 19 April 2022, Administrative Chief, notified To Whom It May Concern that "[t]he named Marine is needed for the following days in order to satisfy his military obligation and his satisfactory drill performance in the Selected Marine Corps Reserve. The days he needs to be excused are as follows: 18-22 April 2022."

Your Career Retirement Credit Report (Marine Corps Total Force System) covering the period of 5 May 2016 to 4 May 2024 listed the following: Total active duty points 300. Total points credit 691. Total satisfactory/qualifying service 5 years. The last qualifying year you completed was for the period of 5 May 2020 to 4 May 2021. Furthermore, during the qualifying year of 5 May 2021 to 4 May 2022 you completed 29 Inactive Duty Points Paid/Total Points Credited 44. During the qualifying year of 5 May 2022 to 4 May 2023 you completed 12 Inactive Duty Points Paid/Total Points Credited 27.



Your Reserve Drill Account 981 ((Marine Corps Total Force System) listed the following information: Last drill period (24 March 2022 to 27 March 2022) prior to the end of the qualifying year 2021. First drill period 17 May 2022 to 22 May 2022) prior to the end of the qualifying year 2022.

On 20 February 2023, you transferred to the Individual Ready Reserve.

On 4 May 2024, you were discharged.

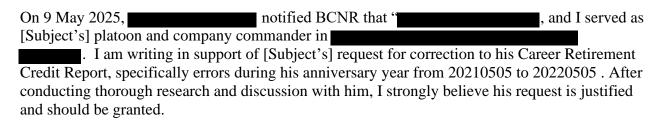
Your BC Timekeeping (Military/USAR Leave Record) from 1 January 2021 to 31 December 2024 listed military leave for the following dates: 18 April 2022, 19 April 2022, 21 April 2022, 22 April 2022.

I am also serving as a Fire Captain for the Fire Department. I have served with [Subject] in the past in the Marine Corps and we now are both members of the Fire department.

I am writing this letter to provide my perspective on his request. I have researched this with him extensively and I firmly believe his request for correction should be granted. The overall thought I have for this error is that the necessary administrative moves in the Drill Manager Module were not conducted in a timely manner. The corrective action needed to move the drills from May to April was not completed and the unit's leadership and staff chose to simply muster [Subject] when the rest of the company way present for the previously scheduled May IDT period. This is obviously the incorrect way to fix such an error, however it would have worked out for all parties involved if it wasn't for the way [Subject's] anniversary date fell.

I would ask the board to recognize that [Subject] was in fact present for the April drill dates and not for the May dates. If he was mustered correctly for the April drill dates, then he would have had 10 additional points (54 total) towards his satisfactory year before his anniversary date passed on 20220504.

The desired end state being [Subject] is credited for his 6th and final year of his SMCR contract so he can show he successfully completed his obligation. Thank you for your time and consideration."



The issue at hand stems from a failure to complete necessary administrative actions in the Drill Manager Module, specifically the timely movement of drills from May to April. This administrative oversight led to the decision to muster [Subject] during the May IDT period, even though the rest of the company was scheduled for April. While this was an incorrect resolution, it would have been acceptable if not for the specific timing of his anniversary date. This action was caused due to an incorrect administrative procedure and not due to any misdoing by [Subject].

I respectfully ask the board to recognize that [Subject] attended the April drills and was absent from the May drills. If he had been mustered correctly for the April dates, he would have accrued 10 additional points (bringing his total to 54), contributing towards his satisfactory year before his anniversary date on 2022-05-04.

The desired end state is that [Subject] receives credit for his 6th and final year of his SMCR contract, officially acknowledging the completion of his service obligation."

You requested the correction to the erroneously reported unsatisfactory year of participation for anniversary year ending 4 May 2022 to receive credit for your 6th and final year. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you completed drills in April 2022 vice May 2022 and should have had a satisfactory year for anniversary year ending 4 May 2022. This correction is necessary to show that you completed your service obligation. However, the Board concluded that although you provided two letters in support of your request, no explanation was provided why your unit chose to muster you in May if you actually did perform drills in April; even if the drills were run late, they would have been correctly reflected for the days you actually drilled if you did in fact drill in April. Because there is no evidence in your record to support your claim, the Board determined that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The Board recommends that you request documentation from the unit that lists the dates the drills were performed, such as drill check-in sheets that include command signature.

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.

