



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

Docket No. 2641-25  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1080.20M, 15 Jun 97  
(c) MCO 1001R.1K, 22 Mar 09  
(d) Title 38 U.S.C. § 3319

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by HQMC ltr 5800 RAP-1, 30 Apr 25  
(3) Advisory opinion by MFR ltr 5800 G-1, 12 Jun 25  
(4) 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 remove the 2013 gap in service and removal of the Transfer of Education Benefits (TEB) debt.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 26 August 2025 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 23 March 1995, Petitioner enlisted in the U.S. Marine Corps for 8 years with an End of Obligated Service of 22 March 2003.

b. On 9 June 2009, Petitioner reenlisted for 4 years with a Reserve End of Current Contract (ECC) of 8 June 2013.

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c. On 3 July 2010, Petitioner submitted TEB applications and requested to allocate education benefits to Spouse/24-months. The Service approved the application on 17 March 2011, with an obligation end date of 3 July 2014.

d. On 28 February 2011, Petitioner signed an agreement to extend enlistment for 13 months with a new Reserve ECC of 8 July 2014 in order to obtain obligated service for the purpose of TEB.

e. On 12 September 2013, Petitioner was issued Ordered to ADOSAC/Short Tours listing the following: "You are directed to endorse these reporting orders "original orders received", noting the date and place of receipt. You are advised that the disbursing officer may refuse to issue payments in the absence of this endorsement (JFTR U4105.F2A and U5120). You are assigned to ADOS - active component on such a date that will enable you to report to the Commander, U. S. Marine Corps Forces, [REDACTED] U.S. Marine Corps Forces, [REDACTED], [REDACTED] no later than 0730 on 08 Oct 2013 for duty with U.S. Marine Corps Forces, [REDACTED], [REDACTED] period of duty: 07 Oct 2013 to 06 Nov 2013 for 31 days (MCO P1000.6 para 4407 and P1001R.1\_ para 4205.4)."

f. On 4 November 2013, Petitioner was issued Modification to ADOSAC/Short Tours listing the following: "You are directed to endorse these reporting orders "original orders", noting the date and place of receipt. You are advised that the endorsement disbursing officer may refuse to issue payments in the absence of this endorsement (JFTR U4105.F2A AND 05120). You are assigned to ADOS – active on such a date that will enable you to report to the commander, U.S. Marine Corps Forces, [REDACTED] U.S. Marine Corps Forces, [REDACTED] no later than 0730 on 08 oct 2013 for duty with U.S. Marine Corps Forces, [REDACTED], [REDACTED]. period of duty: 07 Oct 2013 to 06 Dec 2013 for 61 days, per references a and b. (MCO P1000.6\_ para 4407 and P1001R.1\_ para 4205.4)."

g. On 4 December 2013, Petitioner was issued Modification to ADOSAC/Short Tours listing the following: "You are directed to endorse these reporting orders "original orders received", noting the date and place of receipt. You are advised that the disbursing officer may refuse to issue payments in the absence of this endorsement (JFTR U4105.F2A AND U5120). You are assigned to ADOS - active component on such a date that will enable you to report to the Commander, U. S. Marine Corps Forces, [REDACTED], U.S. Marine Corps Forces, [REDACTED], [REDACTED] no later than 0730 on 08 Oct 2013 for duty with U.S. Marine Corps Forces, [REDACTED], [REDACTED]. period of duty: 07 Oct 2013 to 14 Feb 2014 for 131 days, per references a and b. (MCO P1000.6\_ para 4407 and P1001R.1 para 4205.4)."

h. On 10 June 2014, Petitioner reenlisted for 2 years with a Reserve ECC of 9 June 2016.

i. On 20 March 2015, Commandant of the Marine Corps notified Petitioner that "[p]er MCO 1900.16 and 10 U.S.C. 12731, a review of your record indicates that you are eligible to receive Reserve Retired Pay at age 60, and make an election under the RCSBP. Marines in the Active Reserve are also eligible to participate in the RCSBP. If for some reason an Active Reserve Marine does not complete 20 years of active duty for retirement, their dependents would have protection. When an Active Reserve Marine retires from active duty, the RCSBP election will

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be void, and they will be allowed to make a new Survivor Benefit Plan (SBP) election just as any other retiring member.”

j. On 24 March 2016, Petitioner signed an agreement to extend enlistment for 10 months with a new Reserve ECC of 9 April 2017 in order to transfer to the Reserve retired list for retirement.

k. On 24 April 2017, Commandant of the Marine Corps notified Petitioner that “[y]our request of 4 Apr 17 is approved. You will transfer to the Retired Reserve (Awaiting Pay), under MCO 1900.16, par. 3016 (MARCORSEPMAN) and Title 10, U.S.C., Sections 10154 and 12774(a), on 31 March 2017.”

l. On 11 June 2025, Marine Forces Reserve IPAC notified G-1 Deputy Manpower Officer/MFR Talent Management Officer that “I reviewed this members record and his history of orders. It is my professional opinion that this Marine was transferred to the IRR and remained in the IRR to keep a BIC open.

I say this as the Marine was transferred on 1 October, his AT orders ended 30 September (SNM is still owed travel and final payment for). Based on the orders that [Petitioner] took that started on 7 October (but SNM started travel on 4 October) both the losing and gaining command agreed on the execution of these orders as they were processed while the Marine was on AT.

While it is bad practice to transfer a Marine to the IRR due to ADOS orders with a different command, it benefits both commands.”

m. Marine Corps Total Force System (Pay Group 600 Remarks) listed Petitioner’s Component Code history. The following periods in question are provided: 1 November 2011 to 1 October 2013 (KA), 2 October 2013 to 6 October 2013 (K7), and 7 October 2013 to 14 February 2014 (C7).

n. In accordance with enclosure (3), G-1 Deputy Manpower Officer, Marine Forces Reserve notified BCNR that, “[t]he purpose of this memo is to answer questions from reference (a) and provide additional information regarding the Board for Corrections of Naval Records (BCNR) case for [Petitioner].

Answers to RAP-1 questions... a. On 30 September 2013, did SNM have an Inactive Duty Training (IDT) obligation? No. The Marine Corps Total Force System (MCTFS) lists SNM’s mandatory drill stop date as 16 July 2001, as detailed in enclosure (1). b. If no, and if SNM’s transfer to the Individual Ready Reserve (IRR) was involuntary, was his transfer approved by COMMARFORES? Per MCTFS, as detailed in enclosure (1), SNM’s transfer to the IRR was reported as voluntary, but there is no source documentation on file to prove that SNM actually requested this transfer to the IRR...

Additional Information: a. SNM appears to have had no reason to request a transfer to the IRR and multiple reasons, a 4 year commitment and loss of spousal education benefits, to not request the transfer. In contrast, per enclosure (2), the gaining and losing commands

both benefitted from the IRR transfer. The losing command, in particular, stood to gain an open billet which could be filled by a new Marine. b. SNM served approximately 3.25 years in the Selected Reserve (SeIRes) prior to the transfer to the IRR in 2013. SNM served approximately 2.9 years on active duty after the transfer to the IRR in 2013. SNM's total service in the SELRES or on active duty after the Transfer of Education Benefits (TEB) agreement was more than 6 years..."

o. Marine Corps Total Force System (Reserve Data) listed Petitioner's Career Retirement Credit Record that covered periods of military service beginning 23 March 2005 to 31 March 2017, with a total points credit of 4,483, and total satisfactory years/qualifying service of 22 years. The last qualifying year you completed was for the period of 23 March 2016 to 22 March 2017.

p. In the advisory opinions, attached as enclosures (2) and (3), 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 favorable action.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (3), the Board finds the existence of an injustice warranting the following partial corrective action. The Board noted Petitioner was approved for the TEB and had an obligated service in the Selected Marine Corps Reserve to 3 July 2014. Petitioner's AT orders ended 30 September while he was still in the Reserve component code KA, however his record shows that he was in the IRR (code K7) from 2 October 2013 to 6 October 2013 and from 7 October 2013 to 14 February 2014 was listed as C7. The Board agreed with enclosure (3) that there is no documentation on file to prove that Petitioner requested his transfer to the IRR, therefore in accordance with reference (c), the Board determined that his transfer to the IRR was erroneous. The Board does not have the authority to waive a debt issued by the Department of Veterans Affairs, however with Petitioner's record showing continuous service, he will have satisfied the service requirements in reference (d).

## RECOMMENDATION

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

Petitioner's Reserve Component Code for the period of 1 November 2011 to 6 October 2013 vice 1 November 2011 to 1 October 2013 was KA. Note: This change will remove Reserve Component Code K7 for the period of 2 October 2013 to 6 October 2013.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That no further changes be made to 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 titled matter.

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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.

9/1/2025

