

Docket No. 3883-25 Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER
USMC

- Ref: (a) Title 10 U.S.C. § 1552 (b) DoD 7000.14-R FMR Volume7A
- 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 reflect block 12.c on the Certificate of Release or Discharge from Active Duty (DD Form 214) of 29 February 1980 is four years vice 3 years, 11 months, and 29 days.

2. The Board, consisting of **Constant and Section**, and **C**

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 6 November 1975, Petitioner enlisted in the U.S. Marine Corps reserve for 6 years with an end of obligated service of 5 November 1981 and entered active duty on 1 March 1976 for 4 years with an end of current contract of 29 February 1980.

b. Petitioner was released from active duty with an honorable character of service and was issued a DD Form 214 for the period of 1 March 1976 to 29 February 1980 due to expiration of required active service. Furthermore, block 12c (Net active service this period) listed 3 years, 11 months, and 29 days.

c. On 6 December 1983, Commandant of the Marine Corps notified State of Department of Military and Veterans Affairs Office of the Adjutant General via First Endorsement on National Guard State of Endorsement of 1 November 1983 with the following dates of service and component: Enlisted (USMCR from 6 November 1975 to 29

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER USMC

February 1976, Enlisted (USMC) 1 March 1976 to 29 February 1980, and Enlisted (USMCR) 1 March 1980 to 5 November 1981.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting the following corrective action. The Board concluded that Petitioner was released from active duty on 29 February 1980 and in accordance with reference (b),¹ if the day is 29 February, change it to 30 February for computation purposes. The Board determined that Petitioner completed four full years and his block 12.c on his DD Form 214 was calculated in error, therefore relief is warranted.

RECOMMENDATION

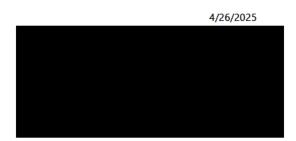
That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's DD Form 214 will be corrected with block 12c (Net Active Service This Period) 04 (Years), 00 (Months), 00 (Days) vice 03 (Years), 11 (Months), 29 (Days). Note: Headquarters, U.S. Marine Corps will correct any other entries affected by the Board's recommendation and will issue a DD Form 215 or a new DD Form 214, whichever one they deem appropriate, that reflects the Board's corrective action.

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 titled 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.



¹ Paragraph 2.4.1.2. After determining initial basic pay date, compute creditable service for all service prior to that date. Use the following to compute basic pay date. If the member had any periods of service during which there was lost time, do not use those periods here. Instead, compute according to subparagraph 2.4.1.3. 2.4.1.2.1. List beginning dates of service for each separate period of service, without changing any of them, and add them together. 2.4.1.2.2. List all ending dates. If the day is the 31st day of the month, change it to 30. If the day is February 28 in a non-leap year, change it to February 30 for computation purposes. If the day is February 29, change it to February 30 for computation purposes. Do not change February 28 of a leap year to February 30. Add all ending dates together. 2.4.1.2.3. Subtract the beginning day result from the ending day result. 2.4.1.2.4. For each non-continuous period of service, add 1 day to account for inclusive days. Explanation: Any period of service is at least one day.