



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 6081-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████
██████████ XXX XX ██████████ USMCR

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO P1900.16F, 26 Nov 13
(c) Title 10 U.S.C. § 12731
(d) DoD 7000.14-R FMR Volume 7B, Chapter 63
(e) DD Form 214-1 Implementation memo, MMSR-5, 13 Feb 25

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 1820 MMSR-5 of 11 Jun 25
(3) 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 (the Board), requesting that his naval record be corrected to show that Petitioner was transferred to the retired Reserve awaiting pay at age 60, was issued a comprehensive Certificate of Release or Discharge from Active Duty (DD Form 214), and received point of contact information to submit a Combat-Related Special Compensation (CRSC) form for processing.

2. The Board, consisting of ██████████, ██████████ and ██████████ reviewed Petitioner's allegations of error and injustice on 13 January 2026 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 9 May 1995, Petitioner enlisted in the United States Marine Corps Reserve for 8 years with an End of Obligated Service of 8 May 2003.

b. Petitioner was released from active duty with an honorable character of service and was issued a DD Form 214 for the period of 13 June 1995 to 16 February 2003 upon completion of required active service.

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c. On 27 April 2003, Petitioner signed an agreement to extend enlistment for 3 months with a new end of contract of 8 August 2003 while pending reenlistment authority in Selected Marine Corps Reserve (SMCR) .

d. On 4 June 2003, Petitioner reenlisted in the United States Marine Corps Reserve for 2 years with a Reserve End of Current Contract (ECC) of 3 June 2005.

e. On 23 January 2005, Petitioner reenlisted in the United States Marine Corps Reserve for 3 years with a Reserve ECC of 22 January 2008.

f. Petitioner was released from active duty with an honorable character of service and was issued a DD Form 214 for the period of 13 June 2005 to 12 June 2006 upon completion of required active service.

g. On 11 December 2007, Petitioner signed an agreement to extend enlistment for 12 months with a new end of contract of 22 January 2010 in order to obligate service for unit deployment.

h. On 25 October 2008, Petitioner reenlisted in the United States Marine Corps Reserve for 3 years with a Reserve ECC of 24 October 2011.

i. On 1 October 2009, Petitioner was promoted to Gunnery Sergeant/E-7.

j. Petitioner was released from active duty with an honorable character of service and was issued a DD Form 214 for the period of 3 December 2007 to 5 January 2009 upon completion of required active service.

k. On 2 August 2011, Petitioner reenlisted in the United States Marine Corps Reserve for 4 years with a Reserve ECC of 1 August 2015.

l. Petitioner was released from active duty with an honorable character of service and was issued a DD Form 214 for the period of 28 October 2009 to 15 September 2013 upon completion of required active service.

m. On 15 May 2015, Commandant of the Marine Corps (CMC) notified Petitioner that “[p]er the 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 Reserve Component Survivor Benefit Plan (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 be void, and they will be allowed to make a new Survivor Benefit Plan election just as any other retiring member.”

n. On 1 August 2015, Petitioner was discharged with a separation code of KBK3 (Completion of Required Active Service).

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o. On 16 October 2018, CMC notified Petitioner that “[o]n ██████████, we sent you your Notification of Entitlement [NOE] to Retired Pay at Age 60 and Eligibility to Participate in the [RCSBP]. As of today’s date, we have not received a response from you.”

p. Petitioner’s Career Retirement Credit Report with a period of 9 May 1995 to 1 August 2015 listed a total of 20 years, 2 months, and 23 days of satisfactory service.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following partial corrective action. The Board agreed Petitioner had 20 years, 2 months, and 23 days of satisfactory service and was eligible for a Reserve retirement in accordance with reference (c).¹ Petitioner was appropriately issued an NOE on 15 May 2015, prior to the end of his contract, however he did not complete the administrative requirements in reference (b)² and was discharged at his ECC. The Board agreed that although the administrative

¹ 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) has attained the eligibility age applicable under subsection (f) to that person; (2) has performed at least 20 years of service computed under section 12732 of this title; (3) in the case of a person who completed the service requirements of paragraph (2) before April 25, 2005, performed the last six 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, except that in the case of a person who completed the service requirements of paragraph (2) before October 5, 1994, the number of years of such qualifying service under this paragraph shall be eight; 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 Homeland Security, 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)(1) Subject to paragraph (2), the eligibility age for purposes of subsection (a)(1) is 60 years of age. (2)(A) In the case of a person who as a member of the Ready Reserve serves on active duty or performs active service described in subparagraph (B) after January 28, 2008, the eligibility age for purposes of subsection (a)(1) shall be reduced, subject to subparagraph (C), below 60 years of age by three months for each aggregate of 90 days on which such person serves on such active duty or performs such active service in any fiscal year after January 28, 2008, or in any two consecutive fiscal years after September 30, 2014. A day of duty may be included in only one aggregate of 90 days for purposes of this subparagraph.

² Retired Grade Determination (Enlisted Personnel). Enlisted Marines upon transfer to the Retired Reserve will be placed on the Reserve retired list in the highest grade in which they have served satisfactorily. Reservists in the grades of E-7 through E-9 must serve two satisfactory years from the date of promotion. The CMC (MMSR-5) will make the determination of satisfactory service. Factors used in making this determination are: a. Time served in the current or higher grade or to service limits, whichever occurs first. b. Any report of misconduct, moral or professional dereliction, conduct not in the best interest of national security, or conviction by court-martial.

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requirements were not completed in a timely manner, under this circumstance, relief is warranted. However, regarding CRSC, the Board determined that in accordance with reference (d),³ Petitioner must submit a DD Form 2860 to the address listed on page 1 of the form. Finally, the Board found that in accordance with reference (e),⁴ the new DD Form 214-1 will only be issued to Reservists separating after it is implemented, therefore Petitioner is ineligible to receive one.

RECOMMENDATION

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

Petitioner's discharge from the U.S. Marine Corps Reserve effective 1 August 2015, is rescinded.

Petitioner was transferred to the retired reserve, without pay, effective 1 August 2015.

A copy of this report of proceedings will 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.

APPLICATION FOR TRANSFER TO THE RETIRED RESERVE AWAITING PAY AT AGE 60. 1. Submission of Requests. Requests for voluntary retirement by SMCR and IMA affiliated Marines will be submitted by the reporting command via the Unit Diary Marine Integrated Personnel System per reference (e) Marine Corps Total Force System PRIUM (Online). Requests outside the 4 to 14 month submission timeframe must be submitted via separate correspondence with justification to the CMC (MMSR-5) with chain of command endorsements via the first general officer. Requests will be submitted using the application contained in Figure 3-5. a. Per reference(a) Title 5 U.S.C. Section 8301, the effective date of retirement must be the first day of the month and cannot be later than the first day of the month following mandatory removal dates. 2. Approval/disapproval of all requests will be issued by the CMC (MMSR-5) via unit diary. See paragraph 3020 and Appendix E for additional instructions.

³ CRSC provides special compensation to members of the Uniformed Services who have retired pay reduced because of receiving U.S. Department of Veterans Affairs (DVA) disability compensation where a portion of such DVA disability compensation is the result of disabilities that are combat-related as determined by the Military Department. Application and Election. A member may not be paid CRSC unless he or she has applied for and elected to receive compensation under the CRSC program by filing an application on DoD (DD) Form 2860, Claim for CRSC, with the Military Department from which he or she retired. A member may submit an application for CRSC at any time and, if otherwise qualified for CRSC, compensation will be paid for any month after May 2003 for which all conditions of eligibility were met, subject to any legal limitations.

⁴ The Marine Corps is improving how we take care of transitioning, separating, and retiring Reservists by implementing the DD Form 214-1, an official summary record of Reserve Component points and service... Following implementation, the DD-214-1 will be issued to Reservists who are: Separating, retiring, or being discharged from the Reserve Component, Transitioning to the Individual Ready Reserve, Standby Reserve, or Retired Reserve, or Recalled Reserve Component retirees reverting to retired status... The new form will only be issued to Reservists separating after it is implemented...as the new form does not affect Reservists who separated prior to its implementation.

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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.

1/16/2026

