



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 930-01
21 June 2001

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

Subj: LTCOL [REDACTED], USMCR, [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 31 Jan 01 w/attachments
(2) HQMC MMSR-6J memo dtd 1 Jun 01 w/encl
(3) Memo for record dtd 19 Jun 01
(4) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by awarding her satisfactory years, for purposes of eligibility for Marine Corps Reserve retired pay at age 60, for her anniversary years ending 21 December 1986, 21 December 1987, and 21 December 1988.

2. The Board, consisting of Messrs. Pfeiffer and Silberman and Ms. Madison, reviewed Petitioner's allegations of error and injustice on 20 June 2001, 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, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Headquarters Marine Corps (HQMC) Separation and Retirement Branch (MMSR-6J), the office having cognizance over the subject matter of Petitioner's request, has commented to the effect that her request as it pertains to the years ending 21 December 1986 and 21 December 1987 has merit and warrants favorable action. The memorandum for the record at enclosure (3) reflects that HQMC MMSR-6J also supports relief concerning the year ending 21 December 1988. They recommend adding, for each of the years in question, the reserve retirement points needed to raise the total to 50, the minimum needed for a satisfactory year (35 for 1986, 34 for 1987

and 35 for 1988). They further recommend that points be deducted correspondingly from the years where Petitioner earned points she did not need for a satisfactory year, to include the 61 points (two for 1989, six for 1990, 20 for 1991, 21 for 1993 and 12 for 1995) for which she did not receive credit, as they exceeded the 60-point cap for gratuitous membership points and inactive duty points combined.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected as follows:

(1) Anniversary year ending 21 December 1986:

Add 35 non-pay inactive duty reserve retirement points, giving 50 total points (satisfactory year).

(2) Anniversary year ending 21 December 1987:

Add 34 non-pay inactive duty points, giving 50 total points (satisfactory year).

(3) Anniversary year ending 21 December 1988:

Add 35 non-pay inactive duty points, giving 50 total points (satisfactory year).

(4) Anniversary year ending 21 December 1989:

Deduct 25 inactive duty points (two above cap plus 23, leaving 50 total points).

(5) Anniversary year ending 21 December 1990:

Deduct 26 inactive duty points (six above cap plus 20, leaving 71 total points).

(4) Anniversary year ending 21 December 1991:

Deduct 20 inactive duty points.

(6) Anniversary year ending 21 December 1993:

Deduct 21 inactive duty points.

(7) Anniversary year ending 21 December 1995:

Deduct 12 inactive duty points.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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 entitled matter.

ROBERT D. ZSALMAN
Recorder

Jonathan S. Ruskin
JONATHAN S. RUSKIN
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

Robert D. Zsalmann
For W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

930-01

IN REPLY REFER TO:
1760
MMSR-6J
1 Jun 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF LIEUTENANT [REDACTED]
[REDACTED] USMCR

Ref: (a) MMER Route Sheet of 1May01, Docket No. 0930-01

Encl: (1) MMSR-5 Comment 1000 MMSR-5 of 23May01

1. The reference requests an advisory opinion on Lieutenant Colonel [REDACTED] petition to correct her record to show the redistribution of reserve retirement credit points for the purpose of increasing qualifying years toward retirement.
2. We recommend that the petition be granted favorable consideration and that Lieutenant Colonel [REDACTED] reserve retirement points be redistributed as specified in the enclosure.
3. Point of contact is [REDACTED], MMSR-5, [REDACTED]

[REDACTED]
Head, Separation and
Retirement Branch
By direction of the Commandant
of the Marine Corps

1000
MMSR-5J
23 May 01

MMSR-5 COMMENT on MMER Route Sheet of 1 May 01

Subj: ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF
LIEUTENANT COLONEL [REDACTED]
USMCR

Ref: (a) BCNR ltr of 26 April 2001 (Docket Number: 0930-01)

1. We have reviewed the reference and provide the following comments:

a. Lieutenant Colonel [REDACTED] assessment of her level of participation in the Marine Corps Reserve after her anniversary year ending on 21 December 1988 is certainly a fair evaluation.

b. While substantial progress has been made in educating officers and enlisted personnel transitioning from active duty on the opportunities available in the Reserve Component, that has not always been the case.

c. The interview and assignment process within the Marine Corps Reserve has been dramatically improved to allow for a more fair distribution of available billets.

d. For the period 22 December 1988 to the present, Lieutenant Colonel [REDACTED] has accumulated over 1546 total points. Over this same period, Lieutenant Colonel [REDACTED] has forfeited sixty-one (61) inactive duty points due to the caps applied to each of those anniversary years.

2. We recommend the following:

The Board for Correction of Naval Records (BCNR) direct Headquarters Marine Corps (MMSR-5) to redistribute the sixty-one (61) points in excess of each anniversary year's caps and move the nine (9) additional points required to satisfy the minimum retirement point requirements for two qualifying years ending on 21 December 1986 and 21 December 1987.

3. If you have any questions, please call Master Gunner [REDACTED]
[REDACTED]

[REDACTED]

MEMORANDUM FOR THE RECORD

DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS (BCNR)
PERFORMANCE SECTION
2 NAVY ANNEX, SUITE 2432
WASHINGTON, DC 20370-5100
TELEPHONE: DSN 224-9842 OR COMM (703) 614-9842
FAX: DSN 224-9857 OR COMM (703) 614-9857

DATE: 19JUN01

DOCKET NO: 930-01

PETITIONER (PET): [REDACTED], USMCR

PARTY CALLED: [REDACTED], USMCR, HQMC MMSR

TELEPHONE NUMBER: [REDACTED]

WHAT I SAID: I ASKED [REDACTED] IF HQMC MMSR INTENDED TO RECOMMEND THAT PET ALSO RECEIVE A SAT RETIRE YR FOR THE PERIOD ENDING 21DEC88.

WHAT PARTY SAID: [REDACTED] INFORMED ME THAT THEIR INTENTION WAS TO RECOMMEND A SAT RETIRE YR FOR THE PERIOD ENDING 21DEC88 AS WELL.

[REDACTED]