



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

TRG
Docket No: 6614-01
24 September 2001

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

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

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer in the United States Marine Corps Reserve filed an application with this Board requesting that his record be corrected by moving retirement points into the anniversary year ending 17 December 2001.

2. The Board, consisting of Mr. Pfeiffer, Mr. Cooper and Mr. Adams, reviewed Petitioner's allegations of error and injustice on 12 September 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. Petitioner's application was filed in a timely manner.

c. Petitioner completed the Command and Staff College Distance Education Program course examination on the Theory and Nature of War on 15 December 2000, and the completion letter was issued on 22 December 2000. However, his anniversary year ended on 16 December 2000. Since the points were credited based on the date of the completion certificate, it resulted in the 15 retirement points being credited in the next anniversary year.

d. The Career Retirement Credit Report (CRCR) shows that Petitioner has been credited with 39 retirement points in the anniversary year ending 16 December 2000, which is 11 points less

than the 50 required for a qualifying year for retirement. He has already been credited with 69 retirement points, which includes 31 points from correspondence courses, in the anniversary year that will end on 16 December 2001.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that Petitioner actually completed the correspondence course prior to the end of his anniversary year, and there may have been circumstances beyond his control that prevented him from completing the course earlier. Therefore, the Board concludes that no useful purpose is served by denying him a qualifying year for retirement in the anniversary year ending 16 December 2000. However, the Board expects that this is an isolated event that will not happen in the future. Accordingly, 15 retirement points from correspondence courses should be moved from the anniversary year ending 16 December 2001 to the anniversary year ending 16 December 2000.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reasons for the redistribution of the retirement points.

RECOMMENDATION:

- a. That Petitioner's naval record be corrected by moving 15 correspondence course points from the anniversary year ending 16 December 2001 to the anniversary year ending 16 December 2000.
- b. That this Report of Proceedings 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 entitled matter.

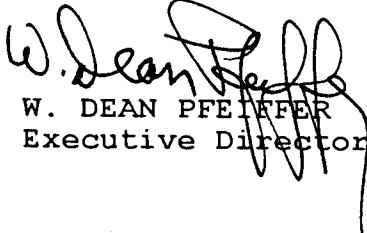
ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
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.


W. DEAN PFEIFFER
Executive Director