



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

LCC:tj
Docket No: 3623-99
10 August 1999

PFC [REDACTED] USMC

Dear PRIVATE FIRST CLASS [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 August 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMRP-2 of 22 July 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1400/3
MMPR-2
22 Jul 99

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

Subj: ADVISORY OPINION IN THE CASE PRIVATE FIRST CLASS [REDACTED]
[REDACTED] USMC

Ref: (a) DD Form 149 of 30 Apr 99
(b) MCO P1400.32B (Enlisted Promotion Manual)

1. Reference (a) is private first class [REDACTED] request to have his current rank backdated to reflect 1 June 1998 vice 1 July 1998. He states he was not recommended for promotion to private first class for 1 June 1998 because he was assigned to weight control. He further states that although he signed a page 11 entry of acknowledgment, it was not reported in the Marine Corps Total Force System (MCTFS) therefore he feels that he rated the promotion to private first class for 1 June with backpay.

2. Although the assignment to weight control was not entered in the MCTFS, the page 11 entry (980601) substantiates that PFC [REDACTED] was not recommended for promotion to private first class for 1 June 1998 due to the assignment to weight control. It is the Commanding Officer's responsibility to ensure information pertaining to page 11 entries are entered in the MCTFS on unit diary and kept up to date. Per paragraph 1204.3 of reference (b), the assignment to weight control is a promotion restriction, therefore PFC [REDACTED] was not eligible for promotion.

3. PFC [REDACTED] date of rank for his promotion to private first class was administratively and erroneously backdated and entered in the MCTFS as 1 June 1998. Unit Diary action has been taken by this Headquarters to correct the PFC date of rank to its proper effective date as 1 July 1998.

[REDACTED]
Assistant Head, Enlisted Promotions
Promotion Branch
By direction of
the Commandant of the Marine Corps