



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

BJG
Docket No: 391-01
24 August 2001

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

Subj: SGT [REDACTED] USMCP [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 11 Jan 01 w/attachment
(2) HQMC MIFD memo dtd 17 Aug 01
(3) Subject's health record
(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 his naval record be corrected by removing all references to his placement on the weight control program from 17 August 1990 to 1 September 1991, to include the following entries in the Marine Corps Total Force System (MCTFS): "WEIGHT CONTROL STATUS: 3 RE FRM WT CNTL [remove from weight control]" and "WEIGHT CONTROL DATE: 19900817." A copy of Petitioner's Basic Training Record, which reflects these MCTFS entries, is in enclosure (1) at Tab A.

2. The Board, consisting of Messrs. Goldsmith, Neuschafer, and Zsalman, reviewed Petitioner's allegations of error and injustice on 22 August 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 office having cognizance over the subject matter of Petitioner's case has commented to the effect that his request has merit and warrants favorable action.

CONCLUSION:

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

RECOMMENDATION:

a. That Petitioner's record be corrected by removing all references to his placement on the weight control program from 17 August 1990 to 1 September 1991, to include the following MCTFS entries:

- (1) "WEIGHT CONTROL STATUS: 3 RE FRM WT CNTL" and
- (2) "WEIGHT CONTROL DATE: 19900817."

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.

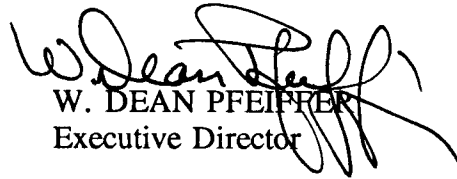
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder

Jonathan S. Ruskin
JONATHAN S. RUSKIN
Acting Recorder

547-01

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



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

IN REPLY REFER TO:
1070
MIFD
17 AUG 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF SERGEANT [REDACTED]
[REDACTED] USMC

1. We reviewed Sergeant [REDACTED] application and supporting documents concerning his request for removal of the weight control entry from the Marine Corps Total Force System (MCTFS).
2. MCO 6100.10, Weight Control and Military Appearance, contains guidance in the assignment to the Marine Corps weight control and/or military appearance program. A commander must adhere to specific administrative procedures if a Marine has been determined to be overweight or their physical appearance does not meet acceptable Marine Corps standards.
3. MCO P1080.40, Marine Corps Total Force System Personnel Reporting Instructions Manual (MCTFSPRIM) provides guidance in reporting weight control and/or military appearance information into the MCTFS.
4. The following comments/opinions are provided:
 - a. Sergeant [REDACTED] was required to receive a command directed medical evaluation from an appropriate credentialed health care provider prior to his assignment to the weight control program per MCO 6100.10. Documented evidence enclosed in Sergeant [REDACTED] application indicate that his commander did not obtained the required medical evaluation per MCO 6100.10.
 - b. Sergeant [REDACTED] commander was required to issue a letter advising him of his assignment to the weight control program per MCO 6100.10. This letter is part of the medical evaluation documentation and becomes the source document for recording in the MCTFS per the MCTFSPRIM. Documented evidence enclosed in his application indicate that his commander did not issue him a letter that is required by MCO 6100.10, notifying Sergeant [REDACTED] that he was assigned to the weight control program.

Subj: BCNR APPLICATION IN THE CASE OF SERGEANT [REDACTED] USMC

c. Sergeant [REDACTED] MCTFS record reveal that he was assigned to the weight control program on 19900817. His initial assignment to the program must be for a period not to exceed six months. If satisfactory progress has been made, even though the weight goals have not been met, a single extension of up to 6 months may be granted. Sergeant [REDACTED] was removed from the program on 19910901, exceeding the maximum allowable time to be assigned to the weight control program per MCO 6100.10.

d. Sergeant [REDACTED] s unit did not follow proper administrative procedures when reporting his assignment to the weight control program per MCO 6100.10.

e. Sergeant [REDACTED] does offer documented evidence to support his claim that the weight control entry in his MCTFS records is in error or unjust.

5. In view of the above, recommend that the Board for Correction of Naval Records approve Sergeant [REDACTED] s request to remove the weight control entry from the MCTFS.

6. Point of contact is [REDACTED]

[REDACTED]

Director
Manpower Management Information
Systems Division