



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

MEH:ddj  
Docket No: 1771-00  
16 May 2000

[REDACTED]

[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 16 May 2000. 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 1400 RAP-32 of 17 April 2000, 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  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1400  
RAP-32  
17 APR 2000

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

Subj: BCNR APPLICATION IN THE CASE OF [REDACTED]

Ref: (a) DOD Instruction 1205.21 Reserve Component Incentive  
Programs and Procedures, September 20, 1999

Encl: (1) TRANSFER TO THE INDIVIDUAL READY RESERVE (IRR) ORDERS

1. After reviewing the subject application, we recommend disapproval of [REDACTED]'s request for waiver of recoupment of unearned portions of a reenlistment bonus.

2. [REDACTED] received \$3,332.32 in bonus payments, \$1,179.54 of which was unearned upon his voluntary exit from the Selected Marine Corps Reserve.

3. Paragraphs 6.6.2 and 6.9.4. of the reference list exemptions to termination and recoupment. Unfortunately, [REDACTED] voluntary transition to the IRR negates these exceptions. By transferring to the IRR, he forfeited his entitlement to additional bonus payments, prompting recoupment of the unearned portion of his reenlistment bonus.

4. Point of contact at Reserve Affairs Division is Master Sergeant [REDACTED] at 784-9136.

[REDACTED]  
By direction