



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

BJG  
Docket No: 5789-00  
6 September 2001

SGT [REDACTED] USMC  
[REDACTED]  
[REDACTED]

Dear Sergeant [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.

It is noted that the Commandant of the Marine Corps (CMC) has directed removal of the contested weight control entry for 15 to 16 January 1997, and revision of the entry for 25 February 1993 to 5 January 1994 so that it ends on 24 August 1993.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 September 2001. 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 Headquarters Marine Corps, dated 1 March 2001 with enclosure, 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 for relief beyond that effected by CMC 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

5789-00

IN REPLY REFER TO:  
1070  
MI  
21 MAR 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

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

Encl: (1) Copy of CMC ltr 1070 MI dated 1 Mar 2001

1. We reviewed Sergeant [REDACTED] application and supporting documents concerning his request for removal of the Weight Control Program entries dated 19970115 to 19970116 and 19930225 to 19940105 from his service records.
2. MCO 6100.10, Weight Control and Military Appearance, sets forth guidance and administrative procedures for the assignment to weight control and/or military appearance program if a Marine has been determined to be overweight or their physical appearance does not meet acceptable Marine Corps standards by a medical evaluation.
3. The following comments/opinions are provided pertaining to the recording of his assignment to the weight control program in his automated records:
  - a. Sergeant [REDACTED] assignment to the weight control program on 19920828 appears to meet the guidelines set forth in MCO 6100.10.
  - b. Sergeant [REDACTED] was having difficulty in successfully completing his assignment to the weight control program and was counseled by his commander on 921221 in accordance with the guidelines set forth in MCO 6100.10.
  - c. Sergeant [REDACTED] MCTFS records has the appearance that he was extended on the program when his commander reported another weight control program entry for a period of 19930225 through 19940105. However, MCO 6100.10 authorizes the commander to grant a one time six month extension if satisfactory progress has not been made.

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

d. Sergeant [REDACTED] claim that erroneously assigned to the weight control program from 19930225 to 19940105 is not supported by documented evidence in his application. MCO 6100.10 requires the commander to complete an evaluation and administratively remove a Marine from the weight control program once the prescribed goals are met. Sergean [REDACTED] enclosed a letter from Captain [REDACTED] who states that Sergeant [REDACTED] assignment to the weight control program from "930225 to 940105" is incorrect. We do not disagree with that statement. Based upon the fact that Sergeant [REDACTED] was the subject of a page 11 counseling entry on 921221 for unsatisfactory progress within four months of his assignment, it is unlikely that he met those goals in the remaining two months. We can presume that his commander granted an extension to ensure that Sergeant [REDACTED] was given an opportunity to achieve acceptable weight standards. MCO 6100.10 authorizes one six month extension, however, his records show that this extended period was for 11 months.

4. In view of the above, we recommend that the Board disapprove Sergeant [REDACTED] request to remove his assignment to the weight control program from his automated records. It should be noted the enclosure is forwarded, informing the Board that limited relief was administratively granted by this office.

5. Point of contact [REDACTED]

[REDACTED]  
G [REDACTED]  
Head, Field Support Branch  
Manpower Management Information  
Systems Division



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 HEADQUARTERS UNITED STATES MARINE CORPS  
 3280 RUSSELL ROAD  
 QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1070

MI

1 MAR 2001

From: Commandant of the Marine Corps  
 To: Commanding Officer, 1ST Battalion, 3RD Marines, Third  
 Marine Division, Marine Forces Pacific, Unit 44410,  
 FPO AP 96607-4410

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

Ref: (a) MCO P1080.40

1. The Board for Correction of Naval Records (BCNR) has requested that this Headquarters review Sergeant [REDACTED] application and provide advisory opinions and recommendations. Additionally, in the event that Sergeant [REDACTED] requested action(s) can be granted administratively, corrective action by this Headquarters is authorized.

2. After a review of Sergeant [REDACTED] records (OMPF/SRB) and his application, it has been determined that his MCTFS records data information is in error.

3. Corrections to Sergeant [REDACTED] MCTFS can only be completed by your organization per the reference. Each entry must be reported separately and post on the cycle before reporting the subsequent entry. Effective upon receipt, we request that the following MCTFS data information be corrected:

a. Report a "Del as Err" entry per the reference, the MCTFS "Weight Control D113 Remarks" page entry "19970116".

b. Report a "Del as Err" entry per the reference, the MCTFS "Weight Control D113 Remarks" page entry "19970115".

c. Report a "Del as Err" entry per the reference, the MCTFS "Weight Control D113 Remarks" page entry "19940105".

d. Report a "Fr Wt Cntl" entry per the reference, a MCTFS "Weight Control D113 Remarks" page entry effective "19930824".

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

e. Cite this letter as authority for the records correction.

4. Point of contact is [REDACTED] 04100  
[REDACTED]@er.usmc.mil.

[REDACTED]

By direction