



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

SMC
Docket No: 06143-01
4 October 2001

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

Subj: SSG [REDACTED], USMC, [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 31Jul01
(2) HQMC MIFD memo dtd 11Sep01
(3) 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 the applicable naval record be corrected by removing the service record page 11a ("Administrative Remarks (1070)") counseling entry dated 10 March 1998. A copy of the contested entry is at Tab A.
2. The Board, consisting of Messrs. Bishop and Novello and Ms. Davies, reviewed Petitioner's allegations of error and injustice on 4 October 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 addressed in Petitioner's application has commented to the effect that the 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:

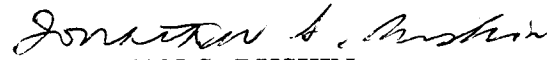
a. That Petitioner's naval record be corrected by removing the service record page 11a (Administrative Remarks (1070")) counseling entry dated 10 March 1998. This is to be accomplished by reconstructing the page 11a on which the entry appears, or physically obliterating the entry so it cannot be read, rather than merely lining through it.

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
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

06143-01



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

IN REPLY REFER TO:
1070
MIFD
11 SEP 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

1. We reviewed Staff Sergeant [REDACTED] application and supporting documents concerning his request for removal of the Administrative Remarks (1070) NAVMC 118(11) page 11 entry dated 980310.
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. Staff 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. Due to the lack of documented evidence enclosed in Staff Sergeant [REDACTED] application, official military personnel files (OMPF) and information reported on his fitness reports, it appears that his commander did not obtain the required medical evaluation per MCO 6100.10.
 - b. Staff 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 Marine Corps Total Force System (MCTFS) per MCO P1080.40. Due to the lack of documented evidence enclosed in Staff Sergeant [REDACTED] application and OMPF, it appears that his commander did not issue him a letter that is required by MCO 6100.10, notifying him that he was assigned to the weight control program.

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

c. Staff Sergeant [REDACTED] CTFS record reflects that he was not assigned to the weight control program as required by MCO 6100.10.

d. Staff Sergeant [REDACTED] fitness reports for evaluation periods of 970601 through 980228 and 980301 through 981030 do not report that he was six pounds overweight and had a 19% body fat rating and subsequently 10 pounds overweight and 21% body fat rating, information contained in the contents of the page 11 entry. MCO P1610.7, Performance Evaluation System (PES) requires a commander to make a comment in Section C of Staff Sergeant [REDACTED] fitness report if he failed to meet minimum standards.

e. Upon the completion of enclosure (4) to MCO 6100.10, a page 11 entry is authorized per MCO P1070.12J, Individual Records Administration Manual (IRAM). Additionally, the administrative separation counseling entry required by MCO P1900.16 upon assignment to weight control, the assignment and removal entries reported in the MCTFS, and entries made in the Marine's health record are subsequently recorded to satisfy the documentation requirements.

f. It appears that Staff Sergeant [REDACTED] unit did not follow proper administrative procedures to record his assignment to the weight control program per MCO 6100.10.

5. In view of the above, recommend that the Board for Correction of Naval Records approve Staff Sergeant [REDACTED] request to remove the Administrative Remarks (1070) NAVMC 118(11) page 11 entry dated 980310 from his records.

6. Point of contact [REDACTED] at [REDACTED]

[REDACTED]

Director
Manpower Management Information
Systems Division
Acting