



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

SMC
Docket No: 06887-01
1 November 2001

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

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

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

Encl: (1) DD Form 149 dtd 13Aug01 w/attachments
(2) HQMC MIFD memo dtd 14Oct01
(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 Marine Corps Total Force System (MCTFS) entries reflecting his assignment to the weight control program on 12 May 1998 and his removal on 8 June 1998.

2. The Board, consisting of Messrs. Hogue, Kastner and Mazza, reviewed Petitioner's allegations of error and injustice on, 1 November 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 MCTFS entries reflecting his assignment to the weight control program on 12 May 1998 and his removal on 8 June 1998; and that his naval record be corrected further by removing any other references to his assignment to weight control from 12 May to 8 June 1998.

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


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.


Executive Director

6837-01



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

IN REPLY REFER TO:
1070
MIFD
14 OCT 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

1. Staff Sergeant [REDACTED] application with supporting documents has been reviewed 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 by a medical evaluation.
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] as 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. Lacking such documentation in his application, we cannot determine that an evaluation was conducted. Therefore, we are unable to provide an opinion whether or not his commander erroneously assigned him to the weight control program.
 - 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 MCTFS per the MCTFSPRIM. As with the medical evaluation noted above, this letter is not available for review. Therefore, we are unable to provide an opinion whether or not the weight control entry was reported erroneously in the MCTFS.

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

c. Staff Sergeant [REDACTED] claims that he exceeded the weight standards when he was weighed in by the Company Gunnery Sergeant. He was allowed thirty days to lose the weight and when the unit diary entry was reported, he was seven pounds under his maximum allowable weight standard.

d. Staff Sergeant [REDACTED] MCTFS record reveal that he was assigned to the weight control program on 19980512. This assignment must not exceed a period of six months. If satisfactory progress has been made, even though the weight goals have not been met, an extension of up to 6 months may be granted. Staff Sergeant [REDACTED] removed from the program on 19980608.

e. Staff Sergeant [REDACTED] claims that he was not assigned to the weight control program per MCO 6100.10. Ten days after the unit diary entry, he was presented with paperwork to be officially assigned to the weight control program.

f. Staff Sergeant [REDACTED] offers documented evidence, a fitness report for an evaluation period from 980104 to 980616 (enclosure (2) of his application), that does not comment on his assignment to the weight control. Additionally, the report comments on his height and weight being within Marine Corps standards.

g. Staff Sergeant [REDACTED] contests, explains, and refutes the MCTFS weight control entry.

5. In view of the above, it is recommended that the Board for Correction of Naval Records approve Staff Sergeant [REDACTED] request for removal of the weight control entry from the Marine Corps Total Force System (MCTFS).

6. Point of contact [REDACTED]

Director
Manpower Management Information
Systems Division