



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

BJG
Docket No: 6894-02
30 August 2002

MAJ [REDACTED] USMC
[REDACTED]
[REDACTED]

Dear [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 29 August 2002. 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 19 August 2002, 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. Notwithstanding the favorable advisory opinion, they found the contested failure of selection by the Fiscal Year 2003 Lieutenant Colonel Selection Board should stand. They noted the Master Brief Sheet (MBS) error in "Relative Value" for your fitness report for 19 June 1999 to 19 June 2000 was to your advantage. They further observed that the advisory opinion acknowledges you could have provided the promotion board with information about your attendance at the Fletcher School. Finally, they noted that you say you discovered the error in a counseling session after you had failed of selection. They felt you should have checked your MBS before the promotion board considered you. In view of the above, 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

6894-02

IN REPLY REFER TO:

1600
MMAA-4
19 Aug 02

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

Subj: BCNR PETITION FOR MAJOR [REDACTED]
USMC

Ref: (a) BCNR Request for Advisory Opinion in the case of
[REDACTED] USMC
of 13 Aug 02.

1. Recommend approval of [REDACTED] request for removal of his failure of selection.
2. Per the reference, we review [REDACTED] record and petition [REDACTED] failed selection on the FY03 USMC Lieutenant Colonel Selection Board. [REDACTED] requests removal of his failure of selection.
3. In our opinion, the errors in [REDACTED] record may have contributed to the failure of selection. [REDACTED] requests removal of his failure of selection based on the following:
 - a. **Error in Relative Value.** [REDACTED] contends that an error existed in the Relative Value for the report from 990619 to 000619. We believe that an incorrect Relative Value was presented to the selection board. But with the correct Relative Value of 88, his record is less competitive. This Relative Value indicates that the Reporting Seniors marks place him below the average of the reports written on his peers.
 - b. **Record did not reflect attendance at ILS.** [REDACTED] contends that his record did not show his selection for or attendance at the Fletcher School, an ILS equivalent PME course. The Fletcher School is an ILS equivalent PME course. We believe his record before the board correctly listed his current command as "Student Fellowship or Grants." There is no school code for the Fletcher School and, as such, no way that attendance at this school could be indicated in the Military Education section of his Master Brief Sheet (MBS). Therefore, we believe his record was accurate before the board, however his record was not a complete reflection of his level of Professional Military Education. Although [REDACTED] had the opportunity to send correspondence to the board indicating his attendance at the Fletcher School, the inability of the records system to reflect

Subj: BCNR PETITION FOR [REDACTED]
USMC

his attendance at the Fletcher School is a shortcoming that caused a less than complete record to be presented to the board. Had the board known he was attending the Fletcher School, his record would have been more competitive.

4. In summary, the errors in [REDACTED] record may have contributed to the failure of selection. Correction of the errors has both a positive and negative effect on the competitiveness of the record, but results in an overall improvement in the records competitiveness. We believe [REDACTED] should be afforded the benefit of the doubt and recommend approval of his request for removal of the failure of selection.

5. POC is [REDACTED] at [REDACTED]

[REDACTED]

Lieutenant Colonel, USMC
Head, Officer Counseling and
Evaluation Section
Personnel Management Division