



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

██████████  
Docket No. 2040-21  
Ref: Signature Date

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██  
██

Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your applications on 14 October 2021. The names and votes of the members of the panel will be furnished upon request. 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

The Board carefully considered your request to remove your 12 April 2017 Administrative Remarks (Page 11) counseling entry. The Board considered your contention that the RE-30 reentry code was removed because you accepted orders in 2018.

The Board noted that you received the counseling due to your refusal to extend or reenlist to deploy or incur the obligated service for the orders received. The Board further noted that you subsequently extended for a period of five months awaiting your request for reenlistment (RELM) package, which was approved.

The Board also determined that the issuing officer was well within his discretionary authority to issue the counseling entry, and that the entry met the counseling requirements detailed in MCO P1070.12K (IRAM) and MCO 1300.8 CH1 (Marine Corps Personnel Assignment Policy) despite your subsequent actions of extending and reenlistment. Specifically, the Board noted that the entry provided written notification concerning career enlisted Marines in receipt of PCSO's issued by the CMC, who do not have sufficient obligated service to complete the prescribed tour,

will be immediately afforded the opportunity to extend/reenlist in order to have the required active service. Furthermore, when the Marine states that he/she does not desire to extend/reenlist, the CMC (MMEA) will be promptly notified and a service record entry made. Additionally, only the CMC (MMEA/RAM) may remove the RE-30 code, and if the RE-30 code is subsequently removed, the page 11 entry will remain a permanent part of the Marine's record. Although you were afforded the opportunity to provide a written statement to be filed on the document side of your SRB, you chose not to do so. The Board thus concluded that the Page 11 entry does not constitute probable material error or injustice warranting its removal from your record.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

10/31/2021

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director

A black rectangular redaction box covering the contact information of the Executive Director.