



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

BJG  
Docket No: 3776-01  
8 August 2001

LTCOL [REDACTED] SMC  
[REDACTED]  
[REDACTED]

Dear Colonel [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 8 August 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 opinions from Headquarters Marine Corps dated 30 May and 27 June 2001, copies of which are 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 found that your failure by the Fiscal Year (FY) 2001 Colonel Selection Board should stand, as you could have communicated with that board concerning your fitness report for 19 January to 7 March 1991, as you did with the FY 2002 board. Since the Board found insufficient basis to remove your failure by the FY 2001 Colonel Selection Board, they could not adjust your colonel date of rank and effective date to reflect your selection by that board. 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

Enclosures



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
MANPOWER AND RESERVE AFFAIRS DEPARTMENT  
HARRY LEE HALL, 17 LEJEUNE ROAD  
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:  
1412/2  
MMPR  
30 May '01

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

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

Ref: (a) MMR Route Sheet of 21 May 2001

1. Reference (a) requested an advisory opinion in the case of Lieutenant Colonel [REDACTED] Lieutenant Colonel [REDACTED] is requesting his date of rank to lieutenant colonel be backdated to where it would have been, had he been selected by the FY01 USMC Lieutenant Colonel Promotion Selection Board.

2. The following facts are germane:

a. Lieutenant Colonel [REDACTED] was eligible and not selected as an in zone officer on the FY01 USMC Lieutenant Colonel Promotion Selection Board, which convened on 991019.

b. Lieutenant Colonel [REDACTED] was subsequently selected, as an above zone officer, by the FY02 USMC Lieutenant Colonel Promotion Selection Board and promoted to his current rank on 010401.

c. Lieutenant Colonel [REDACTED] does not indicate that his Official Military Personnel File (OMPF) was in error for the FY01 board. He states that he failed to identify that his OMPF could use some clarification through authorized written communication with the board, until after he had failed of selection on the FY01 board.

3. Promotion Branch recommends disapproving this request since no error existed in his record. If his request is approved, his date of rank would be 000701.

4. The point of contact in this matter is Capt [REDACTED] at [REDACTED]

[REDACTED]

Colonel, U. S. Marine Corps  
Head, Promotion Branch

3776-01



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

IN REPLY REFER TO:

1600  
MMOA-4  
27 Jun 01

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

Subj: BCNR PETITION FOR LIEUTENANT COLONEL [REDACTED]  
[REDACTED] USMC

Ref: (a) MMER Request for Advisory Opinion in the case of  
Lieutenant Colonel [REDACTED]  
USMC of 21 May 01

1. Recommend disapproval of Lieutenant Colonel [REDACTED] request  
for backdating his date of rank.

2. Per the reference, we reviewed Lieutenant Colonel [REDACTED]  
record and petition. Lieutenant Colonel [REDACTED] petition  
required no action from the Performance Evaluation Review Board  
(PERB) with respect to material condition of his record. He  
failed selection on the FY-01 USMC Lieutenant Colonel Selection  
Board and was subsequently selected on the FY-02 board.  
Lieutenant Colonel [REDACTED] petition requests backdating his  
date of rank to where it would have been had he been selected by  
the FY-01 USMC Lieutenant Colonel Promotion Board.

3. In our opinion, the year of observed performance between the  
FY-01 and FY-02 USMC Lieutenant Colonel Selection boards had  
more impact on his selection than a personal letter clarifying  
"inconsistent remarks" on a combat fitness report. Lieutenant  
Colonel [REDACTED] record, as it appeared before both boards, was  
complete, accurate, and provided a fair assessment of his  
performance. Therefore, we recommend disapproval of Lieutenant  
Colonel [REDACTED] request for backdating his date of rank.

4. POC [REDACTED]

[REDACTED]

Colonel, U. S. Marine Corps  
Head, Officer Assignment Branch  
Personnel Management Division