



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

BJG  
Docket No: 8183-00  
27 July 2001

*an*

SGT [REDACTED] USMC  
[REDACTED] MCAS  
[REDACTED]

Dear Sergeant [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.

Your request to change your sergeant date of rank to 9 October 1998 was not considered, as the Marine Corps Total Force System already reflects that date.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 July 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 furnished by the Headquarters Marine Corps Enlisted Assignment Branch (MMEA), dated 8 February 2001, and the Marine Corps Recruiting Command (MCRC), dated 10 April 2001, and a memorandum for the record dated 10 July 2001, copies of which are attached. They also considered your rebuttal letter dated 1 June 2001 with enclosures.

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.

The Board substantially concurred with the comments contained in the MCRC advisory opinion dated 10 April 2001 in concluding that when you were augmented into the Regular Marine Corps, your sergeant date of rank was properly established as 1 January 1995. They noted that this date of rank made you eligible to have the maximum number of considerations for promotion to staff sergeant before you would become ineligible for retention on active duty because of the 13-year service limitation for sergeants. The undated "Statement of Understanding upon Reenlistment/Augmentation into the Marine Corps" which you submitted, reflecting a date of rank of 9 October 1998, did not persuade them that this was

your correct date of rank. In this regard, they noted that this document was signed only by you, and that it reflects a blank after the entry "Authority assigning time in grade is CMC [Commandant of the Marine Corps] ltr [letter] MRRE." Since they found no basis to conclude that your sergeant date of rank should have been 9 October 1998 rather than 1 January 1995 at all times since your augmentation, they had no grounds to remove your calendar year 1999 and 2000 failures of selection to staff sergeant.

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

4153-01



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

IN REPLY REFER TO:  
1001  
MMEA  
09 FEB 2001

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

Subj: BCNR DOCKET NO. 8183-00 CASE OF SERGEANT [REDACTED] L.  
[REDACTED] MC

1. We have received Sergeant [REDACTED] request concerning Marine  
Corps Total Force System (MCTFS) data.

2. Sergeant [REDACTED] current MCTFS data reads as follows:

- Date of Rank: 951<sup>01</sup>001 *BJ*
- Date of Enlistment: 931208
- Length of Current Enlistment: 3 years
- Length of Current Extension: 6 Months
- Number of Extension for Current Enlistment: 1
- Total Months Extension: 6 months

3. Point of contact for additional information is [REDACTED]  
L. at ext. [REDACTED]

[REDACTED]  
ASSISTANT HEAD, ENLISTED ASSIGNMENT BRANCH



UNITED STATES MARINE CORPS  
MARINE CORPS RECRUITING COMMAND  
3280 RUSSELL ROAD  
QUANTICO, VA 22134-5103

IN REPLY REFER TO  
1100  
RE-13  
10 Apr 01

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

Subj: BCNR DOCKET NO. [REDACTED] SERGEANT [REDACTED]  
[REDACTED] SMC

Ref: (a) MCO 1100.77

1. Sergeant [REDACTED] approved for augmentation from the Marine Corps Reserve to the regular component of the Marine Corps on 30 Sep 98. He was authorized the rank of sergeant with the date of rank of 1 Jan 95. He subsequently enlisted into the regular component of the Marine Corps on 9 Oct 98. After being passed over for promotion to Staff Sergeant on the FY-00 Staff Sergeant selection board, Sergeant [REDACTED] feels as though his date of rank to sergeant was computed incorrectly.

2. Per paragraph 3c of the reference this command is to determine the grades and dates of rank for Sergeants serving in the SMCR augmenting to the regular component of the Marine Corps. This command at that time had decided to allow Sergeant [REDACTED] to keep his original rank of Sergeant with his original time in grade of 1 Jan 95. Based on the reference and the unknown needs of the Marine Corps at that time, we recommend that Sergeant [REDACTED] maintain the date of rank assigned.

3. Point of contact for additional information is [REDACTED] at ex [REDACTED]

[REDACTED]

Waivers Officer, MCRC

10 July 2001

MEMO FOR RECORD

Re: Case of [REDACTED] ISMC, doc [REDACTED]

HQMC (MMPR-2) says the MCTFS currently show [REDACTED] date of rank as 9 Oct 98, the date he requests. However, they say the proper authority to establish his date of rank is MCRC; that MCRC set his date of rank as 1 Jan 95; and that unless BCNR rules otherwise, MMPR-2 will take action to have the MCTFS changed to reflect the 1 Jan 95 date.

[REDACTED]

Head, Performance Section