



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

[REDACTED]
Docket No. 7594-16
SEP 17 2017

[REDACTED]
Dear [REDACTED],

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552. You were previously denied relief by the Board on 9 May 2016. Your case was reconsidered in accordance with procedures that conform to *Lipsman v. Secretary of the Army*, 335 F. Supp. 2d 48 (D.D.C. 2004).

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 June 2017. 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 application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. The advisory opinion provided by HQMC memo 5000 MPO G-7 dated 21 February 2017 was sent to you on 22 March 2017 for an opportunity to comment prior to being considered by the Board. A copy of this advisory opinion is again enclosed. Your response was received on 14 April 2017 and your entire case file was presented to the Board. However, after careful and conscientious consideration of the entire record, the Board determined that while your request does contain new information not previously considered by the Board, it does not warrant relief. Accordingly, your request has been denied.

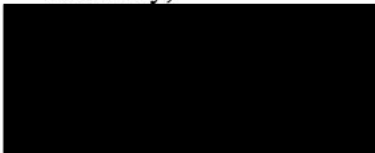
The Board carefully considered your arguments that you are entitled to 100% compensation of your college loans as part of the U.S. Marine Corps' College Loan Repayment Program (CLRP), and that you signed up for this incentive program as part of your enlistment. Unfortunately, the Board did not agree with your rationale for relief. In making their findings, the Board substantially concurred with the advisory opinion contained in HQMC memo 5000 MPO G-7 dated 21 February 2017. Specifically, the Board was unable to find evidence sufficient to support a finding that you were entitled to 100% compensation of your college loans other than your Statement of Understanding dated 31 July 2009 that you provided. The Board agreed with the assessment in the advisory opinion that you were entitled to a maximum of \$30,000 under the FY09 CLRP, which you were compensated for. In order for you to have been entitled to an FY08 CLRP, you must have been commissioned by 30 September 2008. You were

commissioned on 30 June 2009. These factors led the Board to conclude that you were only authorized the FY09 CLRP. Accordingly, the Board determined no error or injustice exists in your case.

It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken again. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In the absence of sufficient new and material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

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,


Executive Director

