



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

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Docket No. 10065-24
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.

A three-member panel of the Board, sitting in executive session, considered your application on 29 October 2024. 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, relevant portions of your naval record, and applicable statutes, regulations, and policies.

The Board carefully considered your request to remove the 16 May 2022 Administrative Remarks (Page 11) counseling entry. The Board considered your contention that the entry was issued for refusing orders to recruiting duty. Later, you accepted Permanent Change of Station (PCS) orders and completed the required course. You claim that removal of the entry will allow you to be eligible for future promotion.

The Board noted that pursuant to the Marine Corps Personnel Assignment Policy and Marine Corps Separation and Retirement Manual (MARCORSEPMAN), you were issued a Page 11 notifying you that you are being assigned reenlistment code RE-30 for refusal to extend or reenlist to comply with your current assignment. The entry also notified you that "Marines assigned this code are not eligible for promotion, reenlistment, commissioning or warrant officer programs, special education programs, or involuntary separation pay." The Board also noted that you acknowledged the entry and elected not to submit a statement. The Board determined that the contested entry was written and issued in accordance with regulations. Specifically, the Marine Corps Personnel Assignment Policy directs, "[c]areer enlisted Marines who do not extend/reenlist in order to qualify for assignment will sign" the aforementioned Page 11 entry.

According to the MARCORSEPMAN, “RE-3O is assigned when a career Marine refused to extend or reenlist to obtain the obliged service necessary to carry out PCS or UDP.”

The Board noted that you executed PCS orders in June 2024, two years after the counseling entry was issued. The Board determined there is no provision to remove the counseling entry once properly entered as a matter of record in your OMPF. Nor is there an exception to policy for Marines that accept orders at a future date. The Board also determined that once you accepted orders, there are no restrictions on your eligibility for future promotion. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

11/14/2024

