



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

BJG
Docket No: 5038-03
5 September 2003

MAJ [REDACTED] USMCR
[REDACTED]
[REDACTED]

Dear [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 5 September 2003. 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 opinion furnished by Headquarters Marine Corps, dated 15 July 2003, a copy of which is 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 substantially concurred with the comments contained in the advisory opinion. Accordingly, 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,



Executive Director

Enclosure



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

IN REPLY REFER TO:
1600
CMT
15 Jul 03

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

Subj: RESERVE AFFAIRS ADVISORY OPINION ON BCNR APPLICATION ICO
MAJOR [REDACTED]

1. A thorough review has been conducted of [REDACTED] request to have his period of inactivity (May 97 - Oct 99) designated "Inactive Status List" and the removal of his three failures of selection to Lieutenant Colonel. It is recommended that both requests be denied. The below justification is provided.

a. In compliance with MCO P1001R.1J (Marine Corps Reserve Administration Management Manual) when a Marine is assigned to the Inactive Status List (ISL) they will not be allowed to participate in Reserve training or earn Reserve retirement points. It is impractical to assign Major [REDACTED] to the ISL after he has already participated and earned retirement points for the requested period. Major [REDACTED] was credited with two unsatisfactory years and one satisfactory year for retirement during the request period. The one satisfactory year shows that he was in fact able to drill. He also had available Marine Corps correspondence courses to take which, would have allowed him to earn enough points to achieve satisfactory years as well as enhance his promotion opportunities by working on Professional Military Education requirements for his grade.

b. A review of the SMCR LtCol Promotion Board Reports revealed the following: FY01 - SNM was in the Below Zone
FY02 - SNM was In Zone
FY03 & FY04 - SNM was in the Above Zone
As indicated by Major [REDACTED] request he failed to be selected on all boards. For all of the above boards according to the Submitted Materials report he never submitted anything to any of the boards. In our view this demonstrates a sincere lack of proactive intent on behalf Major [REDACTED]. It is highly recommend in the Marine Administrative Messages which announce promotion board dates and the zones for each board that Marines submit a letter to the President of their promotion boards to explain any

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explain any unusual circumstances as well as submit a current photograph and other material as stated in the message.

3. Point of contact is [REDACTED] at [REDACTED]

[REDACTED]

By direction