



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 73-99

22 September 1999

[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 14 September 1999. 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 three advisory opinions furnished by Headquarters Marine Corps, copies of which are enclosed.

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,

W. DEAN PFEIFFER  
Executive Director

Enclosures



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

IN REPLY REFER TO:

1741  
MMSR-6  
30 Mar 99

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

Subj: BCNR APPLICATION IN THE CASE OF FORMER [REDACTED]

Ref: (a) MMER Route Sheet of 4Mar99, Docket No. 0073-99  
(b) MCO P1900.16E Marine Corps Separation and Retirement  
Manual

1. The reference (a) requests an advisory opinion on former [REDACTED]'s request to have his records corrected with regard to his reason for separation and his reenlistment code.
2. On 31 May 1997, former [REDACTED] was involuntarily separated from the Marine Corps under paragraph 6412 of reference (b). Separation Designation (SPD) Code JGH3 was erroneously assigned at that time. The correct SPD is JGH2.
3. The narrative reason for separation on the DD Form 214 should be "Nonretention on active duty - No further service" in accordance with reference (b).
4. Questions involving the assignment of reenlistment codes are under the cognizance of the Performance Evaluation Branch (MMER).
5. Former [REDACTED] was properly authorized the issuance of half separation pay in accordance with the guidelines applied by the Enlisted Assignment Branch (MMEA). Authorization of separation pay is a matter under the cognizance of that Branch.
6. We must, therefore, regretfully recommend that former Sergeant Long's petition not be granted favorable consideration regarding the authorization of full separation pay.

J. P. RATHBUN, JR.  
Head, Separation and  
Retirement Branch  
By direction of the Commandant  
of the Marine Corps



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
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IN REPLY REFER TO:

1040  
MMER/RE

11 MAR 1999

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

Subj: BCNR APPLICATION IN THE CASE OF FORMER [REDACTED]

1. [REDACTED] service record has been reviewed and it has been determined that his reenlistment code of RE-4 was correctly assigned. The reenlistment code was assigned based on his overall record and means that he was not recommended for reenlistment at the time of separation.
2. [REDACTED] was honorably discharged on May 31, 1997 by reason of Non-Retention on Active Duty. The administrative portion of his service record indicates that he was counseled concerning wrongful overindulgence of alcohol, and not being recommended for reenlistment. It is also noted that on May 13, 1997 [REDACTED] signed an official service record book entry acknowledging assignment of the RE-4 reenlistment code. It is further noted that the Commandant of the Marine Corps authorized half payment of enlisted separation pay and directed assignment of the RE-4 reenlistment code.
3. After a review of all relevant information, this Headquarters concurs in the professional evaluation of [REDACTED] qualifications for reenlistment at the time of separation. Once a code is correctly assigned it is not routinely changed or upgraded as a result of events that occur after separation or based merely on the passage of time.

*D.J. Christiansen*  
D. J. CHRISTIANSEN  
Head, Performance Evaluation  
Review Branch  
Personnel Management Division  
By direction of the Commandant  
of the Marine Corps



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

IN REPLY REFER TO:  
1001/1  
MMEA-6

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

Subj: BCNR DOCKET NO. 00073-99 CASE OF FORMER [REDACTED]

1. We have reviewed [REDACTED] request and recommend that you deny his requests for separation pay at the full rate and upgrade of his reenlistment eligibility code. On 24 January 1997, [REDACTED] requested reenlistment. On 7 February 1997, [REDACTED] request for reenlistment was denied. The basis for denial of further service was that [REDACTED] is commanding officer did not recommend him for reenlistment, based on his substandard conduct and failure to uphold the standards expected of a noncommissioned officer of his experience, grade, age and maturity.

2. In denying [REDACTED] further service we assigned him a reenlistment eligibility code of RE-4. This reenlistment code is warranted on the basis of his nonrecommendation for further service. Additionally, [REDACTED] was authorized involuntary separation pay at the half rate. Per Marine Corps Order P1900.16E, Marine Corps Separation and Retirement Manual, and SECNAVINST 1900.7G, Separation Pay for Involuntary Separation from Active Duty, a Marine must be fully qualified for reenlistment in order to receive full separation pay. In [REDACTED] case, he did not qualify for reenlistment, based on commanding officer's endorsement of nonrecommendation thus rendering himself unqualified for retention per MCO P1040.31G, Enlisted Career Planning and Retention Manual. Therefore, [REDACTED] was only entitled to separation pay at the one half rate.

3. Based on [REDACTED] substandard conduct and not being recommended for further service and in accordance with current orders and policies, he was not qualified for reenlistment. [REDACTED] was granted the correct amount of separation pay per the SECNAVINST. Therefore, we recommend that you deny Sergeant Long's request for full separation pay and upgrade of his reenlistment eligibility code.

4. Point of contact is Captain M. P. Cody, DSN 278-9238.

*C. O. Skipper*  
C. O. SKIPPER  
COLONEL, U.S. MARINE CORPS  
HEAD, ENLISTED ASSIGNMENT BRANCH  
BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS