



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

MEH:ddj
Docket No: 96-99
6 April 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 6 April 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 the advisory opinion furnished by CMC memorandum 1001/1 MMEA-6, 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



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. 00096-99 CASE OF [REDACTED]

1. We have carefully reviewed [REDACTED]'s case and recommend that you deny his request for a contract modification and subsequent entitlement to a Selective Reenlistment Bonus (SRB). [REDACTED] requested a 48 month reenlistment on 4 June 1998, however his request was returned with no action taken and he was instructed to resubmit after the Staff Sergeant Selection Board. Based on Enlisted Career Force Control policy, sergeants who have failed selection once and who have reached EAS prior to completing 13 years of service may be offered up to 1 year extension vice reenlistment provided the extension will not take them past service limits.
2. [REDACTED] status at the time of this request was once passed for selection to staff sergeant and his end of active service (EAS) was 2 February 1999. [REDACTED] had obligated service through the outcome of the calendar year 1998 Staff Sergeant Selection Board. Therefore, by policy in place at that time, [REDACTED] would not have been considered for additional service until the conclusion of the 1998 Staff Sergeant Selection Board.
3. [REDACTED] needed a mandatory 48 month reenlistment authority in order to comply with policies governing SRB bonuses. With his current situation of once passed for selection and having obligated service remaining on contract, he was not eligible for a 48 month contract, thus he was not eligible for a SRB, Zone B multiple of (2) in primary military occupational specialty (PMOS) 1833.
4. Therefore, we recommend that [REDACTED] request for contract modification and subsequent entitlement to a Selective Reenlistment Bonus (SRB) be denied.

M. W. VANOUS
LIEUTENANT COLONEL, U.S. MARINE CORPS
ASSISTANT HEAD, ENLISTED ASSIGNMENT BRANCH
BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS