



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

BJG  
Docket No: 6659-03  
28 August 2003

[REDACTED] SMC  
US [REDACTED]  
[REDACTED]

Dear Major [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.

It is noted that the Commandant of the Marine Corps (CMC) has directed modification of the contested fitness report for 1 February to 7 June 2000 by removing the following from section I: "Given proper guidance, able to effectively prioritize, and ensure tasks assigned attain desired end state."

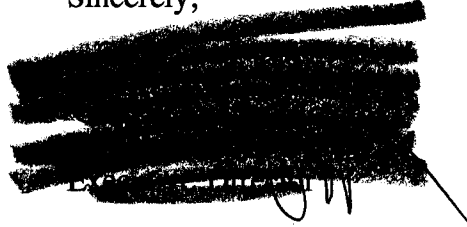
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 August 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 report of the Headquarters Marine Corps Performance Evaluation Review Board (PERB), dated 8 August 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 report of the PERB in concluding that the contested fitness report should not be removed completely. The Board did not find the narrative, as amended, to be vague or ambiguous. In view of the above, your application for relief beyond that effected by CMC 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,

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Enclosure



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

06597-03

IN REPLY REFER TO:  
1610  
MMER/PERB  
AUG 08 2003

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

Subj: MARINE CORPS PERFORMANCE EVALUATION REVIEW BOARD (PERB)  
ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF MAJOR  
[REDACTED] MC

Ref: (a) Major [REDACTED] DD Form 149 of 10 Apr 03  
(b) MCO P1610.7E w/Ch 1-2

1. Per MCO 1610.11C, the Performance Evaluation Review Board, with three members present, met on 6 August 2003 to consider [REDACTED] petition contained in reference (a). Removal of the fitness report for the period 20000201 to 20000602 (CH) was requested. Reference (b) is the performance evaluation directive governing submission of the report.

2. The petitioner contends the report fails to comply with the provisions of reference (b) regarding comments identifying minor limitations, shortcomings, occasional lapses, or weakness in an otherwise overall positive performance. These comments, he believes, serve no constructive purpose and foster a zero defect mentality.

3. In its proceedings, the PERB concluded that, with one minor exception, the report is administratively correct and procedurally complete as written and filed. Contrary to the petitioner's arguments, the Board discerns no verbiage in Section I of the report that meets the criteria he identifies. They do, however, take exception with one single sentence and believe it infers less than acceptable performance. The Board opines that complete removal of the report is not warranted, and has instead, directed removal of the following verbiage: "Given proper guidance, able to effectively prioritize, and ensure tasks assigned attain desired end state."

4. The Board's opinion, based on deliberation and secret ballot vote, is that the contested fitness report, as modified, should remain a part of Major [REDACTED] official military record. The limited corrective action identified in paragraph three is considered sufficient.

Subj: MARINE CORPS PERFORMANCE EVALUATION REVIEW BOARD (PERB)  
ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF MAJOR  
[REDACTED] USMC

5. The case is forwarded for final action.

[REDACTED]

Colonel, U.S. Marine Corps  
Deputy Director  
Personnel Management Division  
Manpower and Reserve Affairs  
Department  
By direction of the Commandant  
of the Marine Corps