



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

Docket No: 3278-16
MAR 27 2017

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

USMC

Ref: (a) 10 U.S.C. 1552
(b) MARADMIN 029/10

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Report of Medical Examination (DD Form 2808)
(4) Administrative Remarks (6105) entry dtd 2 Mar 15
(5) Administrative Remarks (6105) entry dtd 2 Mar 15

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting removal from his record, the Administrative Remarks, Page 11 (6105) dated 2 March 2015. In addition, the Petitioner requested that a new Page 11 entry dated prior to 1 June 2010 be created in his Official Military Personnel File (OMPF) which renders him in compliance with the Marine Corps Tattoo Policy during the publication of reference (b).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 November 2016, and pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of enclosures (1) through (3), naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Reference (b) was issued to detail revisions and additions to the Marine Corps Tattoo Policy. Furthermore, reference (b) directed that commands insert a photograph(s) of tattoos along with a measurement(s), location(s), and date the tattoo(s) was documented, on the Page 11 of any Marine's Service Record Book (SRB) requiring grandfathering of the new tattoo policy. Commands were required to document the tattoos by 1 June 2010.

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d. On 5 December 2002, Petitioner signed the contained entry in enclosure (3) which indicated that his tattoos were documented via a medical examination.

e. On 2 March 2015, Petitioner signed the contained entries in enclosures (4) and (5), for not being in compliance with reference (b).

f. Petitioner contended that he made reasonable attempts through his chain of command to submit the required entries to document his tattoos with reference (b) prior to the entry contained in enclosure (3); however, it was never entered into his OMPF.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded to warrant the Petitioner relief by removing enclosures (4) and (5) dated 2 March 2015. Additionally, replace the Page 11 entry dated 1 June 2010 contained in reference (b). In this regard, the Board concurred with the Petitioner's statement, and believed the Petitioner exhausted all of his administrative remedies prior to 1 June 2010 to document the tattoo and to ensure he was in compliance with reference (b) since the implementation of that policy.

In view of the above, the Board directs the following partial corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing both the Page 11 (6105) entries dated 2 March 2015 (the original entry and its duplicate).

b. That the decision serves as documentation that Petitioner is in compliance with all U.S. Marine Corps directives with regard to the following tattoos documented on 1 June 2010: (1) Dragon "Blood and Guts"; left arm; unknown size. (2) "Energy"; right arm; unknown size.

c. No other relief be granted.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

Recorder

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[REDACTED] USMC

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director