



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

Docket No: 4042-16

APR 09 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 198/07

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Administrative Remarks entry dtd 29 Jun 07

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting be placed to his record, the Administrative Remarks (Page 11) dated 29 June 2007.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 27 January 2017, 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 July 2007.

d. On 8 January 2010, Petitioner signed the contained entry in enclosure (3), with the intent to be in compliance with reference (b).

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e. 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 concurred with the Petitioner's statement, and believed the Petitioner exhausted all of his administrative remedies prior to 1 July 2007 to document the tattoos and to ensure he was in compliance with reference (b) since the implementation of that policy. In this regard, the Board concluded to warrant the Petitioner's relief by placing the Page 11 entry dated 29 June 2007 in accordance with reference (b). In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

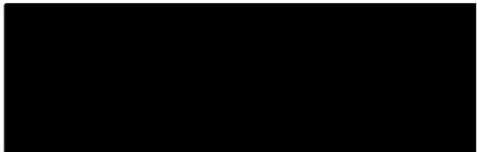
a. That the decision serves as documentation that Petitioner is in compliance with all U.S. Marine Corps directives with regard to the following tattoos documented on 29 June 2007: (1) "Teufelhunden"; upper left arm; 10 inches. (2) "Teufelhunden"; upper right arm; 10 inches. (3) Dog Tags; right forearm; wrap size. (3) Mom and Dad Hearts; inside left biceps; 3 x 4 inches. (4) Mom and Dad Hearts; inside right biceps; 3 x 4 inches. (5) Heartagram; left wrist; half dollar size. (6) Heartagram; right wrist; half dollar size.

b. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

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

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.


Executive Director