



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

■
Docket No: 6240-20

Ref: Signature Date

Dear ■

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 29 June 2021. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record, and applicable statutes, regulations, and policies, as well as the 11 August 2020 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and 28 April 2020 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records & Performance Branch (MMRP-30). The PERB decision and AO were provided to you on 11 August 2020, and you were given 30 days in which to submit a response. When you did not provide a response, your case was submitted to the Board for consideration.

The Board carefully considered your request to remove your fitness report for the reporting period 6 November 2016 to 31 May 2017. The Board considered your contentions that little concern and interest was made in the preparation of your fitness report and you were not counseled on your low marks. You claim that an administrative correction was required to make your report commendatory, and that section I states that your technical expertise was congruent with other Marines, although you were one of five instructors with an advanced instructor designation, you completed additional professional military education (PME) during the reporting period and your initiative to grow professionally was not considered in the report. You also claim that your 283 score on the combat fitness test (CFT) is not a bottom 3rd score.

The Board, however, substantially concurred with the PERB decision and AO that your fitness report is valid and should be retained as filed. In this regard, the Board found no evidence that your fitness report is inaccurate or that your performance and conduct warranted higher marks you provided none. The Board noted that your reviewing officer found that your reporting senior's comments were a fair and accurate depiction of your performance. The Board determined that counseling in conjunction with fitness report processing is not required and the perceived competitiveness of a fitness report's relative value is not a basis for removal. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

7/15/2021
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Executive Director
Signed by: █