



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

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Docket No. 6379-20
Ref: Signature Date

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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.

Although your applications were not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your cases on their merits. A three-member panel of the Board, sitting in executive session, considered your applications on 15 July 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 applications, 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 by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision), and the 15 June 2020 Advisory Opinion provided to the PERB by the Manpower Management Division Records & Performance Branch (the AO). The PERB Decision and the AO were provided to you on 11 August 2020, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

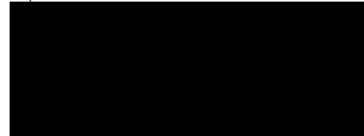
The Board carefully considered your request to modify your 21 March 2012 to 30 May 2012 Fitness Report. The Board considered your contention that your Reporting Senior (RS) incorrectly marked the Performance and Proficiency attribute marks on the contested report, and contrary to his marking philosophy.

The Board, however, substantially concurred with the AO and the PERB Decision that the report is valid as written and filed, in accordance with the applicable Performance Evaluation System (PES) Manual guidance. Additionally, the Board determined that increasing two attribute markings for a report written in 2012 for a 70-day reporting period is especially excessive, and that a low relative value does not constitute grounds for redress.

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,

7/27/2021

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Executive Director

Signed by: 