



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

█
Docket No. 6681-20
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █
█ XXX XX █ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO P1610.7

Encl: (1) DD Form 149 w/ enclosures
(2) Fitness Report for the reporting period 31 Aug 19 to 30 Apr 20
(3) HQMC memo 1610 MMRP-30 of 30 Jul 20
(4) HQMC memo 1610 MMRP-13/PERB 9 Sep 20

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected by removing the fitness report covering 31 August 2019 to 30 April 2020, enclosure (2).

2. The Board, consisting of █ and █ reviewed Petitioner's allegations of error and injustice on 20 July 2021 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies. Additionally, the Board considered the advisory opinion (AO) furnished by Manpower Management Division Records & Performance Branch (MMRP-30) provided at enclosure (3).

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 regulation within the Department of the Navy.

b. Petitioner contends that her fitness report at enclosure (2) should be removed due to administrative errors, the reporting senior (RS) unjustly referencing a non-punitive letter of caution (NPLOC) in the report, and the reviewing officer (RO) lowering the comparative assessment from the Petitioner's previous evaluation. Petitioner specifically noted the report did not include a Section I comment stating that the physical fitness test (PFT) was not required due to COVID-19 restrictions per Marine Administrative (MARADMIN) Message 260/20. The Board noted that the fitness report does not specifically mention the NPLOC, which the Performance Evaluation System (PES) manual expressly prohibits. Instead, the reporting

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officials gave Petitioner lower markings on several attributes, which is in accordance with the PES manual.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that Petitioner's request warrants partial relief. The Board found there is a significant administrative error in that the report does not state in Section I that Petitioner did not conduct the PFT due to COVID-19 restrictions in accordance with the MARADMIN. The Board thus concluded that Petitioner's fitness report at enclosure (2) shall be modified by adding the language in Section I "PFT not required due to COVID-19 restrictions per MARADMIN 260/20."

However, in concurrence with the AO, the Board determined that with this correction, removal of the report is not warranted, as the report does not violate the PES manual guidance.

RECOMMENDATION

In view of the above, the Board recommends the following corrective action:

Petitioner's naval record be corrected by adding in Section I for fitness report covering the period 31 August 2019 to 30 April 2020 the following: "PFT not required due to COVID-19 restrictions per MARADMIN 260/20."

No further 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.
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 Regulations, 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

8/3/2021

[REDACTED]

Executive Director

Signed by: [REDACTED]