



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

█
Docket No: 6730-20
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Administrative Remarks NAVMC 118(11) of 24 Jun 19
(3) █ statement undated
(4) HQMC memo 1070 JPL of 11 Nov 20

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by removing his 24 June 2019 Administrative Remarks (page 11) 6105 counseling entry and rebuttal statement.

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.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 11 June 2020, Petitioner was issued enclosure (2), a 6105 page 11 entry counseling him for failing a physical fitness test (PFT) in preparation for the Force Fitness Instructor Course (FFIC). Petitioner submitted enclosure (3), a statement in rebuttal to his page 11 entry.

b. Petitioner contends that his contested counseling was issued for an unofficial PFT. Petitioner claims that he was directed to complete a PFT in preparation for the FFIC. He initially scored a second-class PFT score, he was then directed to complete another PFT the next day to obtain a potential first-class score. Petitioner also claims that he was unable to pass one portion of the second PFT. Petitioner attributed his failure to the previous day's PFT, leading physical training with students on the same day, and the lack of time between PFTs.

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c. The advisory opinion (AO) recommended that Petitioner's request be granted. The AO noted that according to the FFI Program Manual, a Marine must only have a current first-class PFT during the calendar year to qualify for the FFIC. The AO also noted that Petitioner had a current first-class PFT that would have qualified him for the FFIC, therefore, the subsequent PFTs ordered by Petitioner's command were unnecessary. The AO determined that Petitioner's counseling entry did not address a true discrepancy and the counseling was unfounded. Enclosure (4).

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting corrective action. In this regard, the Board noted that Petitioner's contested page 11 entry was written according to the Marine Corps Individual Records and Administration Manual (IRAM). However, the Board substantially concurred with AO that Petitioner's page 11 entry was unnecessary and unfounded. The Board determined that according to the FFI Program Manual, Petitioner met the requirements to attend the FFIC before being directed to take his PFTs. Accordingly, the Board determined that Petitioner's page 11 entry and rebuttal statement should be removed.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing his 24 June 2019 Administrative Remarks 6105 counseling entry and undated rebuttal statement.

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

8/9/2021

[REDACTED]
Executive Director

Signed by: [REDACTED]