

Docket No: 7012-20 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) NAVMC 118(11) Administrative Remarks of 14 Aug 20
(3) HQMC memo 1070 Sect of 5 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 14 August 2020 Administrative Remarks (page 11) entry.

2. The Board 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 14 August 2020, enclosure (2), Petitioner was issued a page 11 entry counseling him for being out of Marine Corps height and weight standards. The entry noted that Petitioner refused to acknowledge the page 11 entry.

b. Petitioner contends that according to the Marine Corps Body Composition (BCP) and Military Appearance (MAP) Manual, body fat is included in the standard and a Marine can only exceed standards when their body fat percentage and weight exceeds the maximum allowable limits for their height. Petitioner also contends that MARADMIN 269/20 established restrictions prohibiting the measuring of body fat circumferences, therefore, a deficiency cannot be proven.

c. The advisory opinion (AO) recommended that Petitioner's page 11 entry remain on file. The AO noted that the Marine Corps Individual Records Administration Manual (IRAM) authorizes commanders to make administrative remarks to matters forming an essential and permanent part of a Marine's military history that are not recorded elsewhere. The AO also noted that MARADMIN 269/20 temporarily suspended the requirement for body fat

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circumferences, however, the suspension did not alleviate the requirement for the semi-annual height and weight evaluation. The AO concluded that Petitioner's commander was within his right to document that Petitioner exceeded the weight for his height. Enclosure (3).

## 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, contrary to the AO, the Board determined that Petitioner's page 11 entry was not written according to the IRAM. Specifically, the entry did not provide Petitioner with a recommendation for corrective action, where to find assistance, and did not afford him the opportunity to submit a statement. Accordingly, the Board concluded that Petitioner's 14 August 2020 page 11 entry 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 14 August 2020 Administrative Remarks page 11 entry.

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. The foregoing action of the Board is submitted for your review and action.



Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Board Recommendation (Grant Relief)

Reviewed and Approved Advisory Opinion Recommendation (Deny Relief)

