



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

█
Docket No: 569-21
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.

A three-member panel of the Board, sitting in executive session, considered your application on 5 October 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.

The Board carefully considered your request to remove your 13 September 2018 Administrative Remarks (page 11) 6105 counseling entry. You also request to remove your fitness report for the reporting period 1 October 2017 to 30 September 2018. The Board considered your contentions that your page 11 entry must contain specific recommendations for corrective action, your entry does not state any recommended corrective actions and does not meet the requirements of a derogatory page 11 entry. You also contend that the adverse entry rendered your contested fitness report adverse and since the entry does not meet the requirements, it cannot render your fitness report adverse.

The Board, however, determined that your page 11 entry is valid. In this regard, the Board noted that pursuant to the Marine Corps Separation and Retirement Manual (MARCORSEPMAN), you were issued a page 11 entry counseling you for the possession and unauthorized use of a signature stamp. Your entry also referenced the Preliminary Inquiry that substantiated your use of the signature stamp on over 20 documents without the authorized users' permission. The Board also noted that you were properly counseled and determined that the contested entry was written and issued according to the Individual Records Administration Manual (IRAM).

Specifically, the entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and it afforded you the opportunity to submit a rebuttal. Moreover, your commanding officer (CO) signed the entry and determined that your performance was a matter essential to record, as it was his/her right to do. The Board noted, too, that your page 11 entry contained statements reminding you that it is your duty as Supply Chief to ensure the Regimental AO is properly informed on the status of his account and briefed on any changes to the account and you are not to purchase any signature stamps without approval from the Regimental Commander. Contrary to your contentions, the Board determined that the aforementioned statements constitute recommended corrective actions.

Concerning your request to remove your fitness report for the reporting period 1 October 2017 to 30 September 2018, the Board determined that you have not exhausted your administrative remedies. The Performance Evaluation Review Board (PERB) is the initial action agency for fitness report appeals, therefore, you must submit your request to the PERB according to the Marine Corps Performance Evaluation Appeals Manual. 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,

10/5/2021

[REDACTED SIGNATURE]

Executive Director

[REDACTED]