



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: 1834-21
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 19 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 also considered the 16 March 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision) and the 11 December 2020 Advisory Opinion provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-30) (the AO). The PERB Decision and the AO were provided to you on 16 March 2021, and you were given 30 days in which to submit a response.

The Board carefully considered your request to remove your fitness report for the reporting period 13 July 2017 to 10 December 2017 from your Official Military Personnel File (OMPF). The Board considered your contention that the contested fitness report violated the Performance Evaluation System (PES) manual by using the report as a counseling tool and inputting negative phrases without providing the required counseling.

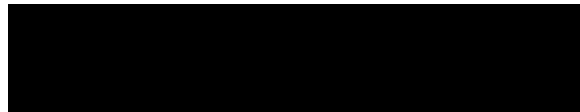
The Board noted that the PERB modified the contested fitness report by removing the following comments from Section I "and understands the importance of knowledge and managerial skills required to be successful in future assignments" and "Recommend he be placed in billets that will allow for growth in his leadership and managerial skills". The PERB also removed the following comment from Section K-4, "and worked hard to improve his SNCO skills". The Board concurred with the AO that removal of the fitness report would constitute an excessive


degree of redress. The Board determined that the contested report, as modified, is administratively correct, and shall remain in your official military personnel file as written.

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,

11/10/2021

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Executive Director

Signed by: 