



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

██████████
Docket No. 1839-21
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) 10 U.S.C. § 1552
(b) MCO 1610.10A

Encl: (1) DD Form 149 w/enclosures
(2) Fitness Report for the reporting period 1 Jul 19 to 11 Jun 20
(3) PES ltr 1610 MMRP-30 of 10 Dec 20
(4) CMC ltr 1610 MMRP-13/PERB of 16 Mar 21+

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 his naval record be corrected by modifying his Fitness Report at enclosure (2) by changing the thirteen attribute markings in Sections ‘D-G.’

2. The Board, consisting of Ms. ██████████, Ms. ██████████, and Mr. ██████████ reviewed Petitioner’s allegations of error and injustice on 14 October 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 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 was issued enclosure (2), a Fitness Report for the reporting period 1 July 2019 to 11 June 2020. Petitioner contends that the report includes administrative and clerical errors in thirteen (13) attribute markings, which the Reporting Senior (RS) concurs with. Petitioner also contends that the error caused Sections ‘D’ through ‘G’ of the report to shift by one letter grade to the left and differ from the RS’ intended markings.

c. The advisory opinion (AO) at enclosure (3), furnished by the Manpower Management Division Records & Performance Branch (MMRP-30) recommended Petitioner’s request be approved. The AO noted, in part, that although there was no “system” error in the processing of

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[REDACTED] XXX XX [REDACTED] USMC

this report as asserted by the RS in his letter requesting correction of the report, Petitioner provided sufficient evidence to clearly suggest that the RS' evaluation was tainted by reporting official incompetence. However, the AO acknowledged that approval of the request would result in an extremely inflated fitness report. The PERB did not concur with the AO and directed that the contested report be retained as filed. The PERB noted that the RS should have provided justification for the upgraded remarks instead of the Petitioner and the RS should have only upgraded those marks that would put the contested report more in line with the preceding report written by the same RS. Enclosure (4).

CONCLUSION

Upon review and consideration of all the evidence, the Board concluded that Petitioner's request warrants relief. In this regard, the Board concurred with the AO that Petitioner has met the burden of proof or shown by preponderance of evidence probable material error, substantive inaccuracy, or injustice warranting modification of the fitness report. The Board non-concurred with the PERB's decision.

RECOMMENDATION

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

Petitioner's naval record be corrected by modifying the thirteen (13) attribute markings of Sections 'D-G' of enclosure (2), his Fitness Report for the reporting period 1 July 2019 to 11 June 2020 by shifting each letter grade one marking to the right, and providing the following justification for the appropriate attribute with 'F' markings:

1. Section D.1 Justification: [REDACTED] continuously performs at a superior level. His ability to identify and create opportunities for success are known throughout the command and are sought after by the leadership core. His ability to quickly identify an available tool set led to marked increase in the ability of the command to communicate shortening time required for information to flow and disseminate to all sections.

2. Section E.2 Justification: During an exercise [REDACTED] was placed in a position requiring to orchestrate and organize a diverse group of Officers, Enlisted, Civilians, and Contracted personnel. In a fast moving environment MRO was able to keep calm, stabilize the situation, and achieve significant results under demanding circumstances.

3. Section E.3 Justification: Through the reporting period MRO has been able to identify events at inception and accurately gage their significance and impact on the command. MRO showed great foresight and anticipation in properly identifying a recent migration as integral to the mission and was able to prepare the command to reap the greatest success.

4. Section F.5 Justification: [REDACTED] combines the ability to listen, comprehend, and articulate his ideas and both written and oral fashion. As the 1st Network Battalion was

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being formed MRO bridged the gap between different facets of the organization and enabled clear communication and understanding with both written and verbal reports.

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

10/31/2021

[REDACTED]
Executive Director
[REDACTED]