



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

█  
Docket No: 1992-21  
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. 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 9 March 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision), and the 13 October 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 9 March 2021, and you were given 30 days in which to submit a response.

The Board carefully considered your request to modify the fitness report covering the period 15 August 2015 to 10 June 2016 by changing the reporting senior (RS) markings for D.2 (Proficiency) to 'F'; D.1 (Performance) and E.3 (Initiative) to 'G'; E.1 (Courage), E.2 (Effectiveness Under Stress), F.1 (Leading Subordinates), F.3 (Setting the Example), F.4 (Ensuring Well-being of Subordinates), F.5 (Communication Skills), G.2 (Decision Making Ability), and G.3 (Judgment) to 'E.' You included with your petition letters from the contested report's RS and reviewing officer (RO), who endorsed the modification.

The Board noted that there was insufficient evidence for changing two of the attributes to 'G,' the highest attribute marking, and that the original RS evaluation did not provide any indication that your performance and conduct warranted a higher evaluation. The Board concurred with the

AO that the RS and RO endorsements provided inadequate justification for changing 11 attribute markings. Consequently, the Board determined that the fitness report 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,

11/15/2021

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Executive Director

Signed by

A black rectangular redaction box covering the name of the Executive Director.