

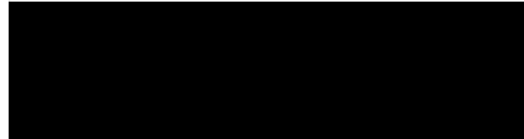


The Board, however, substantially concurred with the AO and the PERB decision that the report is valid as written and filed, in accordance with the applicable PES Manual guidance. In this regard, the Board noted the RS is not required to close Section I with a promotion recommendation nor required to consider criticism, much less accept it, from a Marine being reported on. Further, the Board noted the use of gender pronouns but concurred that their use does not invalidate the fitness report. Additionally, the Board determined there is insufficient evidence to support the contention the RS used the report as a counseling tool. Further, the Board noted that not only is there insufficient evidence of a personality conflict but even if a personality conflict existed, that would not automatically constitute grounds for relief. The Board concluded your request is lacking in substantial evidence of error or injustice warranting removal.

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,

12/23/2021

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Deputy Director

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