



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

█  
Docket No: 3552-21  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF █ █  
█ USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments  
(2) NAVMC 118(11) Administrative Remarks of 28 Jan 21  
(3) █ ltr 1400 S-6 of 4 Feb 21  
(4) CG █ ltr 1400 CG of 21 May 21  
(5) CG █ ltr 1400 COM of 11 Jun 21

1. Pursuant to the provisions of the reference, 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 removing his 28 January 2021 Administrative Remarks (page 11) 6105 counseling entry and rebuttal statement.

2. The Board, consisting of █, and █ reviewed Petitioner's allegations of error and injustice on 14 December 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 that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 28 January 2021, Petitioner was issued a page 11 entry counseling him for being relieved for cause due to loss of trust and confidence in his ability to execute his duties and responsibilities. The page 11 entry also noted that Petitioner was given a reasonable opportunity to overcome his deficiencies, however, his pattern of substandard performance continued. The entry notified Petitioner that he was being ordered to appear before a Competency Review Board (CRB) for incompetence. On 4 February 2021, Petitioner submitted a rebuttal to his page 11 entry. See enclosures (2) and (3).

b. On 21 May 2021, the Commanding General (CG), █ Marine Expeditionary Force (MEF) endorsed the results of Petitioner's CRB. The CG reviewed all aspects of Petitioner's case, he also met with Petitioner, and disagreed with the CRB's recommendation to reduce Petitioner to the rank of Sergeant (Sgt/E-5). The CG, II MEF recommended that Petitioner be retained in his current grade. See enclosure (4).

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c. On 11 June 2021, the Commander, Fleet Marine Forces Atlantic endorsed the results of Petitioner's CRB. The Commander reviewed the CRB report, concurred with the CG, [REDACTED] recommendation, directed that Petitioner be retained in his current grade of Staff Sergeant (SSgt/E-6) and not reduced to Sgt as recommended by the CRB. See enclosure (5).

d. Petitioner contends that the CRB referenced in the page 11 entry was conducted and the CG determined that he should retain his rank.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting corrective action. The Board noted that Petitioner's page 11 entry was issued according to the Marine Corps Individual Records Administration Manual (IRAM). However, the Board also noted that the IRAM directs not to make entries on page 11 that concern competency review proceedings if they do not, upon final review, result in reduction. The Board noted, too, that according to enclosures (4) and (5) Petitioner's chain of command directed that he retain his current rank as SSgt and that he not be reduced in grade. Accordingly, the Board determined that Petitioner's contested page 11 entry and associated rebuttal statement should be removed.

#### RECOMMENDATION

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

Petitioner's naval record be corrected by removing his 28 January 2021, Administrative Remarks (page 11) 6105 counseling entry and 4 February 2021 rebuttal statement.

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.

1/11/2022

[REDACTED]

Deputy Director

[REDACTED]