



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: 3778-21
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 28 December 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, as well as the 24 May 2021 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and the 11 February 2021 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records & Performance Branch (MMRP-30). The PERB decision and the AO were provided to you on 24 May 2021, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to remove your fitness report for the reporting period 2 December 2015 to 16 May 2016. The Board considered your contentions that your Section G, Item 1, Professional Military Education (PME) attribute mark is unjust and your Section H, Item 1, Evaluations attribute mark was marked in error. You claim that you completed a Master of Arts in International Relations, which exceeded the required PME for professional growth and you prepared uninflated and timely evaluations that accurately described the performance of your Marines. As evidence, you furnished your Command and Staff College Distance Education Program (DEP) completion certificate and college transcript.

The Board, however, substantially concurred with the PERB decision that your fitness report is valid and should be retained as filed. In this regard, the Board noted that you completed the Command and Staff College DEP during 2013, two years prior to the contested reporting period and you completed the Master's Program during March 2015 before the start of the contested reporting period. The Board found no evidence that your reporting senior (RS) was aware of your academic accomplishments and you provided none. The Board determined that even if your RS did know of these achievements, your RS was not required to consider them during his evaluation of your performance. The Board also determined that

according to the Marine Corps Performance Evaluation System (PES) Manual, marking philosophies are unique to individual RS(s) and found no material error or injustice with Section H, Item 1 marking. Moreover, each reporting period is unique and based upon that RS's observation. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

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,

1/15/2022

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Deputy Director

Signed by: █