



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

█
Docket No. 4799-21
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) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures
(2) Administrative Remarks (6105) counseling entry 17 Jul 20
(3) Email 30 Jun 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 removing an Administrative Remarks 6105 (Page 11) counseling, enclosure (2), from his official military personnel file (OMPF).

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 8 February 2022 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 received enclosure (2) for failing a weigh-in and exceeding maximum height and weight standards. Petitioner contends enclosure (2) is erroneous, as a body composition examination was not conducted; specifically he was not measured by tape after being found to be over his maximum weight for his height. In addition, Petitioner notes that he was not placed in the Body Composition Program (BCP) or the Remedial Condition Program per Marine Corps Order 6100.13A Ch-2. Petitioner included enclosure (3), an email from Petitioner's First Sergeant to the Training and Education Command (TECOM) Force Fitness regarding whether the weigh-in was invalid. The TECOM Force Fitness Instructor stated that the weigh-in was incomplete and needed to be redone because the Petitioner should have been measured by tape and then a BCP determination should have been made.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that Petitioner's request warrants relief. The Board was persuaded by the TECOM Force Fitness Instructor evidence and lack of documentation that Petitioner was out of height/weight standards at any time. Consequently, the Board found enclosure (2) not supported by the preponderance of the evidence and concluded that it should be removed from Petitioner's OMPF.

RECOMMENDATION

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

Remove Petitioner's 6105 counseling entry dated 17 July 2020 from his OMPF.

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.

[REDACTED]

Signed by: [REDACTED]