



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

[REDACTED]  
Docket No: 5644-21  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1020.34G (Marine Corps Uniform Regulations)  
(c) MCBul 1020 (Marine Corps Tattoo Policy) of 2 Jun 16  
(d) MCO 1070/12K (IRAM)  
(e) MCO 1900.16 (MARCORSEPMAN)

Encl: (1) DD Form 149 w/enclosures  
(2) Administrative Remarks (Page 11) 6105 counseling entry of 22 Jul 15  
(3) Rebuttal statement of 22 Jul 2015  
(4) Administrative Remarks (Page 11) entry of 16 Aug 16

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 (Page 11) 6105 counseling entry and its associated rebuttal statement. Enclosures (2) and (3).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 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 the 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 22 July 2015, Petitioner was issued a Page 11 6105 counseling for having two tattoos that were in violation of reference (b). Petitioner acknowledged the entry and chose to submit a written statement, acknowledging that he was in violation of the Marine Corps Tattoo Policy. Enclosures (2) and (3).

c. Reference (c) published additional guidance regarding the Marine Corps Tattoo Policy, and required all Commanders of Marines with tattoos that were not in compliance with the Policy to document those tattoos on a Page 11 counseling entry within a 120 day baseline period from the date reference (c) was published.

d. On 16 August 2016, Petitioner was issued another Page 11 counseling that documented his tattoos that were not in compliance with reference (c). Petitioner acknowledged the entry and chose not to submit a written statement. Enclosure (4).

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e. Petitioner asserts that, while his tattoos were not in compliance with the Marine Corps Uniform Regulations when he was counseled on 22 July 2015, he contends that his command unjustly issued the Page 11 entry as a 6105 retention-warning counseling. He also contends that he received the tattoos before the Policy changed, and that the Page 11 entry should have instead documented the tattoos pursuant to reference (d), and not in the form of a 6105 counseling pursuant to reference (e). Petitioner further asserts that his command at the time was unaware of the proper way to document the tattoos and it was not until 16 August 2016 was he issued the correct Page 11 entry.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief. The Board determined that Petitioner's command should have issued a Page 11 counseling to document his tattoos that were not in compliance with the Marine Corps Tattoo Policy, but instead, he was issued a retention-warning 6105 counseling on 22 July 2015. The Board noted that the Petitioner was issued another Page 11 entry on 16 August 2016, which is in compliance with reference (c). The Board thus concluded that the 22 July 2015 6105 counseling entry and the associated rebuttal shall be removed from Petitioner's official military personnel file.

#### RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), his 22 July 2015 Page 11 6105 counseling entry and enclosure (3), his rebuttal statement dated the same.

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

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 Regulation, 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.

3/7/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]