



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

■
Docket No: 5765-21
Ref: Signature Date

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 1 March 2022. 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. The Board also considered the 13 September 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision) and the 16 April 2021 Advisory Opinion provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-30) (the AO). The PERB Decision and the AO were provided to you on 13 September 2021, and you were given 30 days in which to submit a response.

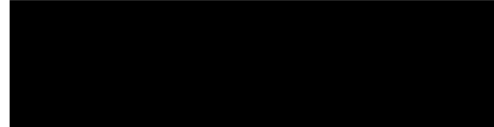
The Board carefully considered your request to remove the fitness report covering the period 1 October 2018 to 29 July 2019. You contend that the reporting senior (RS) unjustly gave attribute marks that did not match the RS comments in Section I.

The Board noted that you did not include any documentation from the RS or the reviewing officer (RO) endorsing your request to remove the report. In addition, the Board concurred with the AO that the PES manual does not require the RS to match attribute markings with comments. The Board determined that the contested report is administratively correct and shall remain in your official military personnel file as written. In making its findings, the Board also considered that you did not suggest any irregularity with the Reviewing Officer portion of the evaluation, thus diminishing your argument for removal of the report in question.

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,

3/10/2022



Executive Director

Signed by:

