



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

[REDACTED]  
Docket No: 6522-21  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures  
(2) CMC 1600 MMEA-6 ltr of 27 Mar 89  
(3) Petitioner DD214

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 to remove a derogatory letter from the Commandant of the Marine Corps dated 27 March 1989. Enclosure (2).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 3 March 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. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider his/her case on its merits.

c. On 12 July 1979, Petitioner entered active duty with the U.S. Marine Corps and served honorably until his discharge on 2 March 1989 due to Convenience of the Government. The Petitioner was discharged with an Honorable characterization of service. Enclosure (3).

d. By letter, on 27 March 1989, the Commandant of the Marine Corps (CMC) notified the Petitioner that he was assigned to the Enlisted Substandard Performance Program. The CMC further notified the Petitioner that this letter and a Page 11 counseling entry would become a part of his permanent records. Enclosure (2).

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

e. Petitioner contends that he did not receive a counseling about the details within the letter, he was not made aware of the letter, and he did not receive the letter. The Petitioner further contends the letter was placed in his record 25 days after he was discharged.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief. Although the Petitioner did not submit any supporting documentation, the Board noted that the Petitioner's date of discharge was before the date of the CMC's letter and Petitioner was not separated for misconduct. Further, the Board noted that there is no record of a Page 11 counseling entry in Petitioner's record documenting the letter in question. The Board thus concluded that the CMC letter was addressed in error and 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), the CMC 1600 MMEA-6 ltr of 27 Mar 89, from Petitioner record.

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.

3/21/2022

[REDACTED]

Executive Director  
Signed by: [REDACTED]