



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

[REDACTED]
Docket No: 56-22
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) McBul 1020 (Tattoo Policy) of 2 June 16
(c) McBul 1020 of 29 Oct 21

Encl: (1) DD Form 149 w/enclosures
(2) Administrative Remarks (Page 11) counseling entry of 15 Jul 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 to remove an Administrative Remarks (Page 11) counseling entry of 15 July 2016. Enclosure (2).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 24 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. On 2 June 2016, reference (b) was published, directing Commanders to ensure all Marines with tattoos adhere to the Marine Corps Tattoo Policy and documenting those tattoos not in compliance on a Page 11 entry.

c. On 15 July 2016, Petitioner was issued a Page 11 counseling entry in accordance with reference (b). Petitioner signed and acknowledged the entry, and certified the information was correct. Enclosure (2).

d. On 29 October 21, reference (c) was published, canceling reference (b). Reference (c) allowed tattoos with the exception of on specific locations of the body and providing restrictions on other areas. Reference (c) did not mention removal of any Page 11 entries issued in accordance with reference (b).

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e. Petitioner contends the entry references the old tattoo policy and is no longer valid based on reference (c). Petitioner asserts the entry had a negative reflection of him on the past 2-3 Master Sergeant Selection Boards and the verbiage used negatively reflects upon him as if he went out of his way to get a restricted tattoo after the policy was published. The Petitioner further asserts that he did not get any tattoos when reference (b) was introduced.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief. The Board noted that Petitioner furnished sufficient evidence to support his contentions. The Board further noted that the command properly issued the Petitioner a Page 11 counseling entry in accordance with reference (b); however, based on reference (c), the Page 11 entry is no longer valid. The Board thus concluded that the Page 11 counseling entry 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 Page 11 counseling entry dated 15 July 2016.

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.

4/11/2022

[REDACTED]
Executive Director
[REDACTED]