



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

█  
Docket No. 130-22  
Ref: Signature Date

█  
Dear Petitioner:

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.

Although your 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 your application on its merits. A three-member panel of the Board, sitting in executive session, considered your applications on 14 April 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

The Board carefully considered your request to remove your 29 February 2016 Administrative Remarks (Page 11) entry. The Board considered your contentions that the entry references the old tattoo policy and the new policy cancels it. Therefore, you would like to move forward without any administrative or disciplinary action taken against you in the future. You assert the entry prohibits you from adding to or modifying your existing tattoos.

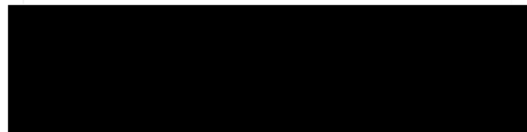
By signing the Page 11, your Commanding Officer (CO) indicated that he believed it to be appropriate based on the tattoo policy at the time of issuance. Although you contend that the entry references a cancelled policy, the Board noted that the current tattoo policy, Marine Corps Bulletin (MCBul) 1020 and Marine Corps Uniform Regulations, MCO 1020.34H, dated 29 October 2021 and 1 May 2018 respectively, do not require removal of entries documenting tattoos not in compliance at the time of issuance. The Board thus determined that the issuing officer was well within his discretionary authority to issue the Page 11 entry, and that the entry met the counseling requirements detailed in MCBul 1020 dated 2 June 2016 and MCO 1020.34G w/CH 1-5 dated 31 March 2003, which were in effect at the time of issuance. Specifically, the

Board noted that the entry documented your tattoos, and you certified that the information was correct by signing the entry. The Board thus concluded that the Page 11 entry does not constitute probable material error or injustice warranting removal from your official military personnel file.

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,

5/12/2022



Executive Director

