

DEPARTMENT OF THE NAVY

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

> Docket No: 1167-22 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

XXX XX USMC

Ref: (a) Title 10 U.S.C. § 1552

(b) MCO 1070.12K

(c) MCO 6100.13 w/CH 2

(d) MCO 6110.3A

Encl: (1) DD Form 149 w/attachments

- (2) Administrative Remarks (page 11) 6105 of 17 Jul 19
- (3) HQMC memo 1070 SEC of 7 Apr 22
- 1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting to remove enclosure (2).
- 2. The Board, consisting of particles, 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 Petitioner's 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 17 July 2019, Petitioner was issued a page 11 entry notifying her that she is being assigned to the Marine Corps Remedial Conditioning Program (RCP) due to her total score of 179 points during the Marine Corps Physical Fitness Test (PFT). Petitioner acknowledged the page 11 entry and elected not to submit a statement. See enclosure (2).
- c. Petitioner contends that the page 11 entry is unjust because she met the minimum standard for a PFT. Petitioner took full responsibility for her performance, but argues that she passed the PFT and should not have had a derogatory page 11 entry included in her record.

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d. The advisory opinion (AO) furnished by the Headquarters Marine Corps, Secretariat Branch recommended removal of the contested page 11 entry. The AO noted that the objective of the Marine Corps Body Composition Program (BCP) and Military Appearance Program (MAP) is to establish healthy weight and body composition standards, and to ensure all Marines present a suitable military appearance. The AO determined that Petitioner passed each event during the PFT for her age group and, therefore, was in compliance with BCP and MAP. See enclosure (3).

CONCLUSION

Upon review and consideration of all the evidence of record, the Board found the existence of an injustice warranting corrective action.

The Board substantially concurred with the AO. In this regard, the Board found that Petitioner submitted sufficient evidence that the contested page 11 entry was issued in error. The Board also noted the criteria for assignment to the RCP according to references (c) and (d) and determined she did not meet the criteria to be assigned to the RCP based on her PFT score. Accordingly, the Board concluded that the page 11 entry should be removed.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2).

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 Regulations, 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.

