



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

█
Docket No: 2613-22

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █
█ USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Administrative Remarks (page 11) 6105 of 21 May 21
(3) Army Medical Department Activity memo of 14 Jan 22
(4) HQMC ltr 1070 MMRP-13/MOD of 30 Mar 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 █, █, and █ reviewed Petitioner's allegations of error and injustice on 7 June 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 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 21 May 2021, Petitioner was issued a page 11 entry counseling him for failing the Physical Fitness Test (PFT) on 19 May 2021. Petitioner acknowledged the entry and elected to submit a statement, however, no rebuttal statement is on file in his record. See enclosure (2).

c. In correspondence dated 14 January 2022, the Army Medical Department Activity, █, █, █, █, medical officer noted that Petitioner was assigned to the Internal Medicine Clinic at █, █; Petitioner has had unexplained bleeding from the colon since March 2021; Petitioner failed a PFT in May 2021 during an active time of rectal bleeding; and the bleeding episode was contributory to his failing the May 21 PFT. The medical officer further

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explained that Petitioner continued to have recurrent rectal bleeding and has been referred to a Gastroenterology specialist for further evaluation. See enclosure (3).

d. In correspondence dated 30 March 2022, the Marine Corps Performance Evaluation Review Board (PERB) granted relief by removing Petitioner's fitness report for the reporting period 29 January 2021 to 31 May 2021. See enclosure (4).

e. Petitioner contends that the failed PFT was due to an undiagnosed medical condition. Petitioner explained that because of the personal and rather embarrassing nature of his symptoms, he did not expose his symptoms at the time of the PFT. Petitioner claimed that he performed another PFT within 48 hours and passed the PFT with a first class score. Petitioner also claimed that the same scenario occurred during the Combat Fitness Test (CFT) and he was admitted to the hospital. Petitioner further claimed that the failed PFT is clearly an anomaly in his record of fitness, he submitted the findings to the PERB and the adverse fitness report associated with the failed PFT was removed from his record. As evidence, Petitioner furnished enclosures (3) and (4).

CONCLUSION

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

The Board noted that Petitioner failed a PFT on 19 May 2021, as a result, he was issued a page 11 entry counseling him for the PFT failure. The Board also noted enclosure (3), the medical officer's determination that Petitioner's bleeding episode contributed to his PFT failure. In consideration of the evidence and that the Marine Corps Physical Fitness Program Manual does not require a 6105 page 11 entry for a Marine's first PFT failure, the Board determined that Petitioner's contested page 11 entry should be removed as a matter of injustice.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), Administrative Remarks (page 11) 6105 of 21 May 21.

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

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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.

6/30/2022

[REDACTED]