



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

██████████
Docket No. 3162-22
Ref: Signature Date

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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.

A three-member panel of the Board, sitting in executive session, considered your application on 6 June 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 application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies, as well as the 18 March 2022 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 10 December 2021 Advisory Opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch (MMRP-30). The PERB decision and the AO were provided to you on 18 March 2022. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board noted that the PERB directed modification of your 2 November 2013 to 31 October 2014 fitness report to remove a Section I Reporting Senior comment. Therefore, the Board carefully considered your request to remove the contested fitness report, as modified by the PERB. The Board considered your contention, with explanation, that the Reporting Senior and Reviewing Officer comments were not written in accordance with Performance Evaluation System (PES) Manual guidance.

The Board, however, substantially concurred with the AO and the PERB's modification, and determined that the fitness report is now valid as written and filed, in accordance with the applicable PES Manual guidance. In this regard, the Board noted that the PERB granted you partial relief and removed the phrase "[c]ontinued adherence to basic tenets of Marine Corps leadership principles will serve [you] well in the operating forces" from the Reporting Senior comments. The Board further noted that the Reviewing Officer comments although reserved,

were favorable and clearly implied that you “met basic standards” and that the comment did not render the report adverse. The Board thus concluded that your request is lacking sufficient evidence of error or injustice warranting removal of this fitness report.

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,

6/21/2022



Deputy Director

Signed by: [Redacted]