



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

█  
Docket No. 4951-22  
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 applications on 19 July 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 13 March 2018 Administrative Remarks 6105 (Page 11) counseling entry. The Board also noted your contentions the failure was never recorded in your Basic Training Record and your subsequent PFT in which you completed the run in a passing time was also not required. Finally, the Board considered your assertion due to this injustice you have been overlooked for promotion, specific billets, and duty stations. The Board did not consider your request to remove your fitness report for the reporting period 1 January 2018 to 13 March 2018 because you did not first exhaust all available administrative remedies by first petitioning the Marine Corps Performance Evaluation Review Board (PERB) before petitioning this Board. If the PERB denies your request, you may then petitioning this Board.

The Board noted you received the 6105 counseling for failing the physical fitness test that was required as part of the Marine Security Guard recertification process, specifically the run portion. The Board noted that you deviated from the run route in an attempt to reduce the distance. The Board noted that in accordance with MCO 6100.13A, failure of PFTs conducted at formal schools constitute a failure even if they are taken out of season, which includes in your case as a requirement for entry into a specialized school. The Board noted the issuing officer was well within his discretionary authority to issue the counseling entry. Moreover, the Board determined that the entry met the 6105 counseling requirements detailed in MCO 1900.16—MARCORSEPMAN. Specifically, the Board noted that the entry provided written notification concerning your deficiencies, specific recommendations for corrective action indicating any assistance available, a comprehensive explanation of the consequences of failure to successfully take the recommended corrective action, and a reasonable opportunity to undertake the recommended corrective action. The Board noted you chose not to rebut the counseling.

In regards to your contention that you have been overlooked for promotion, specific billets, and duty stations, the Board noted that performance and conduct are what directly influences a Marines competitiveness for promotion and likewise. Furthermore, the Board also noted assignment to specific billets and duty stations is conducted in order to fill manpower requirements for the Marine Corps and specific needs of Marines and their families with consistency, objectivity, and fairness in mind. The Board noted there is not enough evidence to determine whether the 6105 counseling entry had any impact on your promotion, specific billets, or duty assignments. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

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,

8/5/2022

