



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

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Docket No: 7381-22  
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 25 October 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 2 September 2022 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), the 4 August 2022 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records & Performance Branch (MMRP-30), and your response to the AO.

The Board carefully considered your request to remove your fitness report for the reporting period 15 October 2020 to 4 January 2021 and your 23 December 2020 Administrative Remarks 6105 (page 11) entry. The Board considered your contention that there is no official record of a failed physical fitness test (PFT), thus your fitness report is unjust without documentation of a PFT failure. You also contend that the Marine Corps is responsible to document historical events, yet the alleged failed PFT has never been documented. Therefore, any action or statement regarding the PFT is null and void. You claim that the Combat Logistics Regiment (CLR) wanted you to recertify your eligibility for a Special Duty Assignment (SDA) a second time after being diagnosed during the height of COVID. Once you ran the PFT, there was an unsatisfactory score that was used solely for the recertification process. You also claim that the PFT as conducted outside of the PFT season and a recertification cannot be used to place a Marine on the Marine Corps Body Composition Program (BCP) or as official documentation outside the season.

The Board noted that pursuant to paragraph 6105 of the Marine Corps Separation and Retirement Manual (MARCORSEPMAN), you were issued a page 11 entry counseling you for failing a scheduled Special Duty Assignment (SDA) recertification PFT. On the same date, you were notified of the assignment to the Body Composition Program (BCP) due to the failed PFT. The Board also noted that you acknowledged the entries and elected not to submit a statement. The Board determined that the contested entries were written and issued according to the Marine Corps Physical Fitness and Combat Fitness Tests (PFT and CFT) Manual and the MARCORSEPMAN. Specifically, a page 11 entry and assignment to the BCP is required as a result of a PFT failure, the entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and it afforded you the opportunity to submit a rebuttal. Moreover, your commanding officer (CO) signed the entry, and he/she determined that your substandard performance was a matter essential to record, as it was his/her right to do.

The Board also noted that you were issued three page 11 entries on 22 February 2021 documenting your first assignment to the BCP, notified you that you are restricted from promotion to the next higher grade while assigned to the BCP, and counseling you for falsifying a "PFT NAVMC" for yourself. You acknowledged each entry and elected not to make a statement. The Board determined that the entries are valid and written according to regulations.

Concerning the removal of your contested fitness report, the Board substantially concurred with the PERB decision that your fitness report is valid and should be retained as filed. In this regard, the Board noted that although there is no Marine Corps Total Force System (MCTFS) entry of your failed PFT, your page 11 entry and fitness report both duly recorded your failed PFT and that your height and weight exceeded Marine Corps standards. The Board also noted that you did not refute the fact that you failed the PFT or your assignment to the BCP. The Board determined that your election not to refute any of the page 11 entries indicates that you understood the basis the entries. The Board noted, too, that according to Marine Corps PFT and CFT Manual, as professional warrior-athletes, every Marine must be physically fit, fitness is an essential component of Marine Corps combat readiness, and physical fitness is an indispensable aspect of leadership. The Board further noted that the Special Duty Assignment (SDA) Manual, requires the losing command to re-certify that a Marine remains qualified for SDA. Moreover, the Marine Corps Performance Evaluation System Manual states, "If the MRO's weight exceeds the maximum allowable standard, enter the MRO's body fat percentage in item 8f (Body Fat). If the body fat percentage reported is greater than the maximum allowed for the MRO's age group per reference (o), the report is adverse." Based on these factors, the Board determined that your PFT failure and failure to maintain Marine Corps height and weight standards were sufficient to render your fitness report adverse. Regardless of the season, the Board also determined that you clearly failed to maintain Marine Corps standards and failed to meet the expectations of your reporting chain. As a result, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting removal of the fitness report or counselings from your record. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

11/7/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]