



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

██████████
Docket No. 1926-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████,
██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) NAVMC 118(11) Administrative Remarks (page 11) of 23 Jun 16
(3) NAVMC 118(11) Administrative Remarks (page 11) of 3 Aug 16

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 his 23 June 2016 Administrative Remarks (page 11) entry.

2. The Board, consisting of ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 14 March 2023 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, the Board determined that Petitioner has exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider the case on its merits.

b. On 23 June 2016, Petitioner was issued a page 11 entry counseling him for failing the calendar year 2016 three mile run portion of the physical fitness test (PFT). Petitioner acknowledged the entry, but made no election regarding the submission of a rebuttal. Enclosure (2).

c. On 3 August 2016, pursuant to the Marine Corps Separation and Retirement Manual, Petitioner was issued a 6105 page 11 counseling him for failing the calendar year 2016 Marine Corps PFT. The entry provided specific recommendations for corrective action, where to seek

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assistance, and consequences for failure to take corrective action. Petitioner acknowledged the entry and in his statement, Petitioner acknowledged that the failed PFT was not acceptable, he assumed full responsibility for his actions, and explained that he has taken this experience as an opportunity to reevaluate himself, his environment and career. Enclosure (3).

d. In his application, Petitioner admits that he failed the PFT on 13 May 2016 and the initial page 11 entry was signed on 23 June 2016. Petitioner claims that upon official assignment to the Marine Corps Body Composition Program (BCP) an additional page 11 entry was issued on 3 August 2016. Petitioner contends that both entries identify the failed PFT and the presence of redundant entries is misleading and could cause promotion board members to inaccurately judge his character by believing he failed two separate PFTs. Enclosure (1).

CONCLUSION

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

The Board noted the contested page 11 entries and determined that, because both entries only indicated the calendar year 2016 failed PFT as a deficiencies, the entries are redundant. The Board found no evidence of Petitioner's assignment to BCP, however, the Board noted that the Marine Corps PFT/CFT Manual directs a 6105 page 11 entry when a Marine fails his/her first PFT or CFT. The Board also determined that Petitioner's 3 August 2016, page 11 entry was issued properly and according to regulations. Accordingly, the Board concluded that Petitioner's 23 June 2016 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).

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.

3/27/2023

[REDACTED]
Executive Director
[REDACTED]