



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. 2847-23
Ref: Signature Date



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 18 April 2023. 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.

You previously applied for relief to this Board and were denied on 24 August 2021.

The Board carefully considered your request to remove your fitness report for the reporting period 16 February 2013 to 1 June 2013. The Board considered your contentions that the current relative value is not what the reporting senior (RS) intended and not what the reviewing officer (RO) understood it to be. The original relative value was in the middle third of the RS profile, and the RS expected the relative value to remain 87.27. You claim that the removal of a fitness report from your RS's profile most likely resulted in the decrease of your relative value. You also claim that removal of the contested fitness report will not have a negative effect on other officers in the RS profile because the officer that would be impacted is no longer in the Marine Corps. As evidence, you furnished correspondence from your former RS and RO.

The Board substantially concurred with the previous Board's decision that your fitness report is valid and should be retained as filed. In this regard, the Board noted the correspondence from your former reporting official, however, the Board was not persuaded. According to the Marine Corps Performance Evaluation System Manual, the relative value at processing is a constant and

once calculated, will not change. The Board determined that a change to the cumulative relative value and the perceived competitiveness of a fitness report is not a basis for removal. As a result, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting the removal of the fitness report in question. 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,

5/3/2023

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Executive Director

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