



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

██████████  
Docket No. 9950-23  
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.

Although your 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 your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 19 December 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 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 12 July 2016 Administrative Remarks Page 11 entry. The Board considered your contention that the entry is inaccurate and you are no longer in violation of the current Marine Corps Tattoo Policy, Marine Corps Bulletin (MCBul) 1020 dated 29 October 2021. You state that you are planning to submit for the warrant officer program and this entry is a stain on your record that is no longer applicable due to the tattoo being within regulations. You also contend that the entry states the tattoo is on your right forearm, but it is actually on your left forearm.

The Board noted that you were counseled for having a tattoo located on your right forearm, and that it was not in compliance with the current tattoo policy. On 12 July 2016, you certified the information in the entry was *correct*. Your commanding officer (CO) also signed the entry. The Board determined that the issuing officer was well within his discretionary authority to issue the entry at the time, and that the entry met the counseling requirements in accordance with MCBul 1020 dated 2 June 2016 and paragraph 1004.1C of MCO 1020.34H, which were in effect at the time of issuance.

Furthermore, although your tattoo complies with the most current tattoo policy, neither MCBul 1020 dated 29 October 2021 nor the current Marine Corps Uniform Regulations, MCO 1020.3H, mentions removal of previously issued Page 11 entries documenting tattoos not in compliance. The Board thus determined the entry is a matter of record, and therefore concluded it does not constitute probable material error, substantive inaccuracy or injustice warranting removal from your official military personnel file. Regarding your contention that the location of the tattoo noted in the entry is incorrect, the Board noted you did not submit any evidence to support your contention, and even if you had, the Board concluded that you may correct the entry administratively by having your command validate the proper location of the tattoo via naval correspondence and submit said correspondence to Headquarters Marine Corps (MMPB-22) to correct the Page 11 entry.

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,

1/18/2024

