



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

[REDACTED]  
Docket No: 5257-17  
JAN 12 2018

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

Subj: REVIEW OF NAVAL RECORD ICCO [REDACTED] XXX XX  
[REDACTED] USMC

Ref: (a) 10 U.S.C. §1552  
(b) MCO 1610.7

Encl: (1) DD Form 149 w/attachments  
(2) HQMC memo 1610 MMRP-13/PERB ltr of 31 May 17

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted Marine, filed enclosure (1) with this Board requesting removal of his fitness report for the reporting period 1 January 2015 to 31 December 2015 from his Official Military Personnel File (OMPF).
2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 December 2017 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. In addition, the Board considered the advisory opinion (AO) provided by the Headquarters, Marine Corps (MMRP) Performance Evaluation Review Board (PERB).
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, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
  - b. Petitioner received a fitness report covering the period 1 January 2015 to 31 December 2015. Petitioner received a Certificate of Commendation on 30 November 2015 which was not documented in the fitness report.
  - c. Petitioner contends that the attribute markings of the contested fitness report do not reflect his actual achievements and place him "below average due to the Reporting Senior (RS) trying to create an average." He also contends that the RS and Reviewing Officer (RO) comments "could be viewed as adverse."

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[REDACTED] JSMC

d. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that, per the spirit and intent of reference (b), there is no contradiction or conflict between the attribute markings and the Section I comments. The AO noted there is nothing in the RS and RO comments that are reflective of unsatisfactory or adverse performance. However, the RS failed to document Petitioner's Certificate of Commendation, but that failure does not invalidate the report.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action in the form of partial relief.

The Board concurred with the PERB's AO and determined the contested report is procedurally correct as written and filed but does contain a correctable error, specifically that the RS failed to document Petitioner's report as "commendatory" due to Petitioner's receipt of a Certificate of Commendation.

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action.

#### RECOMMENDATION

Petitioner's naval record be corrected by marking item 6a (Commendatory) in Section A on the fitness report for the reporting period 1 January 2015 to 31 December 2015 and adding a MFR stating "MRO received a Certificate of Commendation as SNCOIC for 13A/B Division for WTI Class [REDACTED] in leading 42 Marines."

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.

[REDACTED]  
Recorder ✓

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 Regulation, 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.

[REDACTED]  
Executive Director