



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

[REDACTED]
Docket No: 5603-17
JAN 03 2018

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

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

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149
(2) Administrative Remarks (Page 11) counseling entry of 3 Aug 16

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer of the Marine Corps, filed enclosure (1) with this Board requesting the removal of an Administrative Remarks (Page 11) counseling entry dated 3 August 2017, from his Official Military Personnel File (OMPF).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 13 December 2017, and pursuant to its regulations, determined that the partial 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 the naval record and applicable statutes, regulations and policies. Enclosures (1) and (2) apply.

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. On 3 August 2016, the Petitioner was issued a Page 11 counseling concerning the following deficiencies: Violation of CCO 1720.1L and the Commanding Officer's policy of consuming no more than (2) beers at the Warrior's Club. See enclosure (2).

c. Petitioner contends that majority of the language utilized in the Page 11 counseling is not based on substantiated facts discovered during the preliminary inquiry. Instead the Page 11 is based on personal opinion and speculation of the investigating officer and the support the investigating officer received from the squadron commander which stemmed from prior unrelated personality conflict.

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

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants partial relief.

In reaching its conclusion, the Board after careful consideration of the Petitioner's record, concluded that although enclosure (2) is valid and written in accordance with Marine Corps directive, the Board determined that part of enclosure (2) as written is an injustice, and therefore redact the following words from the Page 11 counseling that reads "I am advised that failure to take corrective action may result in administrative separation or limitation on further service."

RECOMMENDATION

In view of the foregoing, the Board recommends the following corrective action.

Petitioner's naval record be corrected by redacting the portion of the contested Page 11 counseling dated 3 August 2016 that reads "I am advised that failure to take corrective action may result in administrative separation or limitation on further service."

No further relief be granted.

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