



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

[REDACTED]
Docket No: 6115-17
FEB 13 2018

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
USMC

XXX-XX [REDACTED]

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 1610 MMRP-50 of 10 Jul 17
(3) HQMC memo 1610 MMRP-50 of 22 Jan 18

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer of the Marine Corps, filed enclosure (1) with this Board requesting that his record be corrected by removing his failures of selection (FOS) incurred by the FY18 and FY19 Lieutenant Colonel Promotion Selection Boards from his Official Military Personnel File (OMPF).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 25 January 2018 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 opinions (AO) provided in Headquarters, Marine Corps (MMRP-50) memorandums dated 10 July 2017 and 22 January 2018.

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, for the removal of failures of selection, available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosures (2) and (3), the office having cognizance over the subject matter addressed in Petitioner's application has opined that the changes to Petitioner's fitness reports made by four successful Performance Evaluation Review Board (PERB) decisions and his receipt of a Bronze Star Medal were clearly substantive changes to the record. The AOs commented that Petitioner's request to remove all failures of selection from any previous Lieutenant Colonel Selection Boards should be approved and he should be given the full brief afforded an In-Zone officer.

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XXX-XX [REDACTED]

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of enclosures (2) and (3), the Board finds the existence of an injustice warranting corrective action.

RECOMMENDATION

Petitioner's naval record be corrected by removing his failures of selection incurred by the FY18 and FY19 Lieutenant Colonel Selection Boards.

Petitioner's naval record be corrected so that he will be considered by the earliest possible selection board convened to consider officers of his category for promotion to lieutenant colonel as an officer who has not failed of selection for promotion to that grade.

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