



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

[REDACTED]
Docket No: 6800-17

MAR 20 2018

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 February 2018. 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. The enclosed advisory opinion (AO) provided in Headquarters, Marine Corps memorandum 1610 MMRP-13/PERB dated 2 August 2017 was sent to you for an opportunity to comment prior to being considered by the Board. After the period for comment expired without a response, the case was presented to the Board.

The Board carefully considered your desire to remove your fitness reports for the reporting periods 1 August 2012 to 30 April 2013 and 1 May 2013 to 7 March 2014, and if approved, that your failures to select for promotion be removed from your record, and that you be granted a special selection board (SSB). The Board considered your contention that your fitness reports presented an inconsistent and unjust picture of your performance and suitability for promotion, that the Reporting Senior's (RS) Section I word pictures in each report contained favorable language, and that the RS marks in Sections D through H resulted in below average relative values, effectively contradicting the RS's "recommended for promotion" statements. The Board also considered your contention that the fitness reports were likely the reason you failed selection for promotion and failed selection for appointment to limited duty officer. The Board substantially concurred with the AO and determined the report was administratively and procedurally correct as written and filed. The Board also concurred that a fitness report is not considered unjust solely because the relative value is rated lower than other reports. Additionally, Section I is not for justifying attribute marks; Sections D through H have a block for that purpose, and that there is no scale to "match" the attribute markings with certain Section I comments. Lastly, the Board concurred that there was insufficient evidence to substantiate that

the report was anything other than an honest portrayal of your exhibited efforts and results for each reporting period. In the absence of a correction to your record, the Board found no justification to remove your failures to select for promotion or to grant an SSB. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,

[REDACTED]
Executive Director

[REDACTED]