



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

[REDACTED]
Docket No: 6850-17

DEC 26 2017

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

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

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149
(2) HQMC (MMRP-13/PERB) Memo of 2 Aug 17
(3) HQMC (MMRP-50) Memo of 8 Aug 17

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer in the Marine Corps, filed enclosure (1) with this Board requesting that the fitness report covering the period from 20150907 to 20160621 be removed from his Official Military Personnel File (OMPF) and that his failure of selection (FOS) by the FY18 Lieutenant Colonel Promotion Selection Board be removed from his OMPF as well.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 October 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 Petitioner's naval records, and applicable statutes, regulations and policies. In addition, the Board considered the action taken by Headquarters Marine Corps (MMRP-13/PERB) Memorandum of 2 August 2017 and MMRP-50 Memorandum of 8 August 2017. Enclosures (1) through (3) 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. Petitioner was issued a From Temporary Duty (FD) fitness report for the reporting period 20150907 to 20160621. Subsequently, the Petitioner was not selected for promotion by the FY18 Lieutenant Colonel Selection Boards.

c. The Petitioner contends that during this time period he was experiencing symptoms of operational stress and Post Traumatic Stress Disorder (PTSD).

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d. On 2 August 2017, Headquarters Marine Corps took corrective action by removing the contested fitness report. See enclosure (2).

e. Enclosure (3) states in part, that the quantitative indicators for competitiveness, specifically the percentages in the Reporting Senior profile which are on the "home screen" of every promotion board member, would have been skewed to the detriment of the Petitioner prior to the corrective action of the Performance Evaluation Review Board (PERB). Also, enclosure (3) recommends the removal of the Petitioner's FOS by the FY18 Lieutenant Colonel Selection Promotion Board.

CONCLUSION:

Upon review and consideration of all the evidence of record, and in light of enclosure (2) and (3), the Board concludes that Petitioner's request warrants partial relief. The Board concurs with enclosure (3) that the Petitioner's FOS from the FY18 Lieutenant Colonel Promotion Selection Board be removed from his OMPF.

RECOMMENDATION:

Petitioner's naval record be corrected by removing his FOS incurred by the FY18 Lieutenant Colonel Promotion Selection Board.

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 selection for promotion to that grade.

That 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

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

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