



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

[REDACTED]  
Docket No: 6941-17  
DEC 26 2017

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  
(2) Administrative Remarks (Page 11) Counseling of 10 Apr 17  
(3) Administrative Remarks (Page 11) Counseling of 13 Jun 17  
(4) CO [REDACTED] ltr of 30 Jun 17

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting that his naval record be corrected by removing two Administrative Remarks (Page 11) counseling entries of 10 April 2017 and 13 June 2017 with rebuttal statement from his Official Military Personnel File (OMPF).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 October 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. Enclosures (1) through (4) 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. Enclosure (2) states in part, that the Petitioner was counseled concerning his assignment to the Marine Corps Remedial Conditioning Program.

c. Enclosure (3) states in part, that the Petitioner was counseled concerning that he was eligible but not recommended for promotion to Sergeant for the 3<sup>rd</sup> Quarter of Calendar year 2017 (July, August, September) promotion period for lack of leadership, responsibility, and physical fitness. Petitioner submitted a rebuttal statement in response to this entry.

d. Enclosure (4) states in part, regarding enclosure (2), the Petitioner was never formally assigned to the Remedial Conditioning Program and in regards to enclosure (3), the Petitioner was never formally counseled on his deficiencies and was not afforded the opportunity to correct his deficiencies until he was notified the day of receiving the Page 11 counseling.

MAJORITY CONCLUSION:

Upon review and consideration of all the evidence of record, and in light of enclosure (4), the Board unanimously concluded that the removal of enclosure (2) from the Petitioner's OMPF is warranted. In this regard, the Board substantially concurred with the comments contained in enclosure (4). The Board concludes that it would be an injustice to have enclosure (2) remain part of the Petitioner's OMPF and directs the removal of enclosure (2) from the Petitioner's OMPF. Further, [REDACTED] concluded that enclosure (3) is valid and written in accordance with Marine Corps directive and should remain part of the Petitioner's OMPF.

MAJORITY RECOMMENDATION:

The Board unanimously recommends relief in the form of removing enclosure (2) from the Petitioner's OMPF.

[REDACTED] recommend that enclosure (3) remain part of the Petitioner's OMPF.

MINORITY CONCLUSION:

Regarding enclosure (3), the minority [REDACTED] disagrees with the majority and concluded that Petitioner's request does warrant favorable action.

In view of the above, the minority agrees with enclosure (4) comments regarding enclosure (3) and concluded that it would be an injustice to have enclosure (3) remain part of the Petitioner's OMPF.

MINORITY RECOMMENDATION:

[REDACTED] recommend removal of enclosure (3) from the Petitioner's OMPF.

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 ICO  
XXX XX 0527

5. The foregoing action of the Board is submitted for your review and action.

[REDACTED]  
Executive Director

Reviewed and Approved/Disapprove Majority partial corrective action:

Reviewed and Approved/Disapprove Minority partial corrective action:

Approve : Full Relief requested.

Remove p.11 of 10 Apr 2017

Remove p.11 of 13 June 2017

[REDACTED]  
1-12-2018