



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

[REDACTED]  
Docket No: 7049-17  
DEC 27 2017

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

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

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149  
(2) Administrative Remarks (Page 11) counseling entry of 10 Aug 17

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting the removal of an Administrative Remarks (Page 11) counseling entry dated 10 August 2017, from his Official Military Personnel File (OMPF). Enclosures (1) and (2) apply.

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 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.

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 10 August 2017, the Petitioner was counseled concerning the following deficiency: Violation of Article 92, Failure to obey order, regulation. On 3 April 2017 violated a lawful general regulation, to wit: Section (2) paragraph (a) MCO 1000 9A. Sexual Harassment dated 20060530, by wrongfully engaging in unwelcome speech towards another Marine and occurred in or impacted the work environment.

c. Petitioner contends that he has not done anything wrong to deserve this type of treatment, he is an innocent man.

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

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, the Board concluded that although the Page 11 counseling entry is valid and written in accordance with Marine Corps directive, the Board determined that part of the Page 11 counseling entry as written is an injustice, and therefore redact the following words from the Page 11 counseling entry that reads "to wit: Section (2) paragraph (a) MCO 1000 9A. Sexual Harassment dated 20060530."

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

RECOMMENDATION:

Petitioner's naval record be corrected by redacting the Page 11 counseling dated 6 March 2017 that reads "to wit: Section (2) paragraph (a) MCO 1000 9A. Sexual Harassment dated 20060530."

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