



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

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Docket No. 2954-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 16 May 2024. 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 Board carefully considered your request to remove the Administrative Remarks (Page 11) counseling entry regarding your leg tattoo of a █. Specifically, you contend the current tattoo policy no longer prohibits the leg tattoo that was grandfathered in for being visible outside your athletic gear. Since there are no longer any restrictions regarding leg tattoos, you contend the “unnecessary entry in [your] record” is no longer accurate and should be removed.

The Board, however, determined the counseling entry was properly issued in accordance with MARADMIN 029/10 to document your leg tattoo and advise you that “being ‘grandfathered’ is a privilege.” The Board further noted that all Marines with tattoos that did not fall within the guidance of the Marine Corps Tattoo Policy at the time of MARADMIN 029/10 were appropriately counseled and determined the presence of the Page 11 entry is not unjust nor is it considered derogatory. The Board concluded there is insufficient evidence of material error or injustice warranting the removal of the contested Page 11 entry.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

6/3/2024

