



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

[REDACTED]  
Docket No. 10048-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCBUL 1020, Tattoo Policy dated 2 June 2016)  
(c) MCO 1900.16 (MARCORSEPMAN)  
(d) MCO P1020.34G, Marine Corps Uniform Regulations

Encl: (1) DD Form 149 w/enclosures  
(2) Tattoo Screening Form, 2 Mar 09  
(3) SOU, Marine Corps Policy Concerning Tattoos, Branding, and Ornamentation, 2 Mar 09  
(4) Administrative Remarks (Page 11) 6105 counseling entry, Undated  
(5) Administrative Remarks (Page 11) counseling entry of 24 Jun 16

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by removing the undated Administrative Remarks (Page 11) 6105 counseling entry at enclosure (4).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 October 2024, 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 the naval records, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 2 March 2009, Petitioner filled out a tattoo screening form which indicates that when joining the delayed entry program, Petitioner had a tattoo of his name on his right calf. The same day, Petitioner also signed a Statement of Understanding regarding the Marine Corps policy at the time on tattoos. Petitioner enlisted in the Marine Corps on 14 September 2009. Enclosures (2)-(3).

b. Petitioner received a counseling entry pursuant with paragraph 6105 of reference (c), concerning violation of article 92 of the Uniform Code of Military Justice (UCMJ), specifically, the Marine Corps Tattoo Policy per reference (b) and reference (d) which indicates that his tattoo is visible when wearing a properly fitted uniform and is not in compliance with said policy. The counseling entry was signed by the Petitioner and the commanding officer, however it was undated. Enclosure (4).

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

c. On 24 June 2016, Petitioner was issued a counseling entry documenting the tattoo on his right calf. The Petitioner signed the counseling entry. Enclosure (5).

d. Petitioner contends the counseling entry at enclosure (4) is derogatory in nature and was erroneously entered in his official military personnel file (OMPF). Petitioner asserts the tattoo was included in his original enlistment contract and that he did not violate reference (b).

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error and injustice warranting relief.

The Board noted on 2 June 2016, reference (b) was published, directing all commanders to ensure immediate compliance with the Marine Corps tattoo policy. The Bulletin required Marines with non-compliant tattoos to be documented with a counseling entry within 120 days of the Bulletin's signing. After the 120 day period, a counseling entry pursuant with paragraph 6105 of reference (c) would be issued. The Board observed that Petitioner received two counseling entries for the same tattoo, which he had prior to enlisting in the Marine Corps in 2009. The Board found no error in the issuance of the counseling at enclosure (5). Consequently, the Board determined the counseling entry at enclosure (4) was erroneous and not in accordance with reference (b). Thus, the Board concluded Petitioner, having provided sufficient evidence of having the tattoo before enlistment, and determined counseling entry at enclosure (4) will be removed from his OMPF.

#### RECOMMENDATION

In view of the above, the Board directs the following corrective action:

Petitioner's naval record be corrected by removing enclosure (4).

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.

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.

11/19/2024

