



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

██████████
Docket No. 10413-24
Ref: Signature Date

██████████
████████████████████
██

Dear ██████████,

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.

A three-member panel of the Board, sitting in executive session, considered your application on 3 December 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, as well as the 11 September 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 12 April 2024 Advisory Opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch (MMPB-23). Although, the PERB decision was provided to you, you did not provide a response.

The Board carefully considered your request to modify your Transfer Fitness Report for the reporting period 1 February 2020 to 31 May 2020. The Board considered your contention that the contested fitness report does not accurately reflect the reporting period you submitted to the Reporting Senior (RS) and that it was changed without your knowledge. You also claim the fitness report should have been "Not Observed" because the actual observed time was less than 90 days due to early COVID regulations and your claim that the report should have ended on 15 May 2020.

The Board, however, substantially concurred with the AO and the PERB decision that the report is valid as written and filed, in accordance with the applicable PES Manual guidance. In this regard, the Board noted the PES Manual defines periods of non-availability as periods of 30 or more consecutive days. Further, the Board noted the PES Manual requires the RS to submit observed reports for all reporting occasions covering 90 days or more. Lastly, the Board noted the report average of 3.07 generated a cumulative relative value of 80.00, a likely concern and likely genesis for your request, however, the Board noted a report is not considered unjust solely

because the relative value or comparative assessment mark are rated lower than other reports. The Board determined other than your statement, you provided insufficient evidence to warrant the requested change. Thus, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

1/22/2025

