



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

██████████
Docket No. 10946-24
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.

A three-member panel of the Board, sitting in executive session, considered your application on 21 January 2025. 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 8 October 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 24 July 2024 Advisory Opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove your Change of Reporting Senior Fitness Report for the reporting period 1 June 2022 to 30 June 2023. The Board considered your claims that this correction should be made because you received two awards before and during the reporting period, i.e. the Navy Commendation Medal (NMCM) and Copernicus award.

The Board, however, substantially concurred with the PERB's decision that you did not meet the burden of proof to find a substantive inaccuracy or injustice exists to warrant removal of your fitness report. The Board determined that your fitness report is valid as written and filed in accordance with the applicable Marine Corps Performance Evaluation System (PES) Manual. In this regard, the Board noted, according to the PES Manual, a fitness report will be marked as "commendatory material" if the Marine has been presented a personal military decoration pursuant to SECNAVINST M-1650.1, or the presentation of a foreign, joint, other service, federal department or agency award approved by Headquarters, Marine Corps (MMMA). In your case, the NMCM was approved on 6 December 2023 and the Fiscal Year 2023 Copernicus

Award was announced on 5 January 2024; both after the reporting period. Furthermore, the Board noted that both awards were acknowledged in your subsequent fitness report for the reporting period 15 September 2023 to 13 February 2024. 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,

2/27/2025

