



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

██████████
Docket No. 773-25
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 11 March 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 15 December 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and 26 November 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch. The AO was provided to you on 15 December 2024, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to modify the fitness report for the reporting period 3 March 2023 to 31 May 2023 by changing the comparative assessment mark from block '5' to block '6'. If approved, you request removal of your failures of selection (FOS). As evidence, you provided correspondence from the Reviewing Officer (RO) requesting a substantive correction to your record.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification 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 that the RO's profile included seven Majors when your fitness report was processed. Since then, the RO's profile has increased to 35 Majors. The Board also noted that 63 percent of the Majors in the RO's profile were key billet holders within the Cyber

Mission Forces and the National Security Agency. As the RO's profile increased, your placement in the RO's profile fell towards the lower third. The Board also concurred with the AO that this change does not retroactively affect the original comparative assessment. The Board acknowledged the RO's desire to modify your record, however the correction would negatively affect the majority of other Majors in the RO's profile. The Board also determined that the RO's assessment of your performance at the time of the reports processing is valid and not based on subsequent evaluations. Based on the foregoing, the Board found no basis to remove your FOS. The Board thus concluded 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,

