



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

██████████
Docket No. 938-25
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 18 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 ██████████ decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and ██████████ 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 remove the fitness report for the reporting period 10 October 2021 to 31 May 2022. The Board considered your statement that during the reporting period you served in three different billets but missed two Change of Duty (CD) reporting occasions. You claim your reporting chain denied a CD fitness report at each of these junctures. You contend this is in violation of the Marine Corps Performance Evaluation System (PES) Manual, which provides the requirement for a CD report when changing billets. Instead, your reporting officials lumped all three billets together into one fitness report under the billet of "██████████" and processed it as an annual report. You also contend that during most of the reporting period, the administrative reporting chain was not in accordance with the PES Manual and the Reporting Senior (RS), and Reviewing Officer (RO) had no observation of your work during a six-month period from January to June 2022. As evidence, you provided correspondence from ██████████

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of your fitness report. The Board determined that your fitness report is valid as written and filed in accordance with the applicable PES Manual. In this regard, the Board noted that the PES Manual encourages reporting officials to take all possible action to reduce not observed fitness reports because not observed reports diminish the amount of useful information in a Marine's performance record. The Board found no error in your reporting officials' decision not to issue three separate fitness reports, which could have resulted in a series of not observed evaluations. The Board also noted that the PES Manual does not require the reporting officials and Marine to be co-located for observation to occur. The Board noted that the billet accomplishments and reporting official comments documented your accomplishments across the spectrum of assignments. The Board considered the correspondence provided by Col S., however, the Board determined that your RS's upper third assessment of your performance and the reporting official's comments demonstrate sufficient knowledge of your performance and conduct during the reporting period. The Board also determined that your contention regarding the comparative assessment lacks merit. The RO assessed you in block '5' as "One of the Many Highly Qualified Professionals Who Form the Majority of This Grade." Your dissatisfaction with the comparative assessment is not a basis to modify or remove your fitness report. 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,

3/28/2025

