

DEPARTMENT OF THE NAVY

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

> Docket No. 1279-25 Ref: Signature Date

From: To:	Chairman, Board for Correction of Naval Records Secretary of the Navy
Subj:	REVIEW OF NAVAL RECORD OF XXX XX USMC
Ref:	(a) 10 U.S.C. § 1552 (b) MCO 6100.13A w/CH-2 (c) MCO 1610.7 (d) MCO 1900.16 w/CH-2
Encl:	 (1) DD Form 149 w/enclosures (2) Pay and Leave Summary (3) Petitioner Training History: PFT (4) Petitioner Marine Corps Body Composition Worksheet, 29 Jun 21 (5) Petitioner Marine Corps Body Composition Worksheet, undated (6) Fitness report for the reporting period 1 Jan 21 to 28 Jul 21 (7) Petitioner Chronological Record (8) Administrative Remarks NAVMC 118(11), 4 Aug 21 (9) Petitioner Itr 4400 , subj: Physical Fitness Test 6105 Rebuttal, 10 Mar 22 (10) Petitioner Training History: Height Weight and Body Fat (11) , subj: PERB Decision in the case of Petitioner,
enclos record	suant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed ure (1) with the Board for Correction of Naval Records (Board), requesting that his naval be corrected by removing his fitness report for the reporting period 1 January 2021 to 28 021, the 4 August 2021 Administrative Remarks 6105 (Page 11) entry and his rebuttal to ge 11.
allegat correct	e Board, consisting of present the property of the Board consisted of the enclosures, relevant portions of the enclosures.

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 the following:

Petitioner's naval records, and applicable statutes, regulations, and policies.

- a. Petitioner was on annual leave from 12 June 2021 to 11 July 2021. Enclosure (2).
- b. On 21 June 2021, Petitioner completed the semi-annual Marine Corps Physical Fitness Test (PFT) in accordance with reference (b). Petitioner's PFT History documented a score of '0' indicating that he failed the PFT. Enclosure (3).
- c. On 29 June 2021, Petitioner completed the required Marine Corps weigh-in. The Body Composition Worksheet documented his height as 69 inches tall, weight as 197 pounds, and body fat as 18 percent. The worksheet was verified by the Force Fitness Instructor (FFI). Petitioner was identified as being within standards, and he acknowledged the findings and receipt of the worksheet. Enclosure (4).
- d. An undated Body Composition Worksheet documented Petitioner's height as 69 inches tall, weight as 202 pounds, and body fat as 23 percent. The worksheet was verified by both the FFI and command Sergeant Major. Petitioner was identified as not being within standards, and he acknowledged the findings and receipt of the worksheet. Enclosure (5).
- e. In accordance with reference (c), Petitioner received an adverse fitness report for the reporting period 1 January 2021 to 28 July 2021. Section A, Item 6b is marked "X" for "Derogatory Material," Section B, Item b. PFT is annotated "F0," and the attribute "Setting the Example" was marked adverse. As justification for the adverse mark, the Reporting Senior (RS) noted that "[Petitioner] is 69 inches tall, weight 202 pounds, and has a body fat percentage of 23%. He is not within body composition standards. [Petitioner] completed 9 Pull ups, 115 Crunches, and ran a 29:56 minute three-mile run. He failed the Physical Fitness Test." Additionally, The RS did not recommend Petitioner for promotion. The Reviewing Officer (RO) concurred with the RS's evaluation and the basis for adversity. Petitioner acknowledged the fitness report and indicated that he had no statement to make. Third Officer Sighter reviewed the fitness report and found the factual statements by the RS and RO accurate. Enclosure (6).
 - f. On 28 July 2021, Petitioner transferred from the Recruiting Station, Enclosure (7).
- g. On 4 August 2021, pursuant to reference (d), Petitioner was issued a Page 11 entry counseling him for failing the PFT. Petitioner acknowledged the counseling entry. In his statement, Petitioner claimed that his run time was 27:56 instead of 29:56. Enclosures (8) and (9).
- h. On 19 December 2024, the Marine Corps Performance Evaluation Review Board (PERB) considered Petitioner's request to remove his fitness report and determined that his petition did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal. The AO provided for the PERB's consideration noted that Petitioner's fitness report shows that he did not meet height, weight, and body fat standards; listing him as 69 inches tall, 202 pounds, and with a body fat of 23 percent. The AO noted that a second Marine Corps Body Composition Worksheet provided as evidence, signed by Petitioner and verified by a Sergeant Major, although undated, aligns with the contested fitness report's figures. Additionally, Petitioner provided a screenshot titled "Training History: Height Weight and Body Fat" showing

his measurements on 12 July 2021, as 69 inches tall, 202 pounds, with 23 percent body fat. The AO determined that the information from Petitioner's Training History, dated 12 July 2021, and the undated worksheet are consistent with the contested report. The AO also determined that Petitioner has not presented evidence beyond his own assertions and rebuttal of the Page 11 entry to counter the PFT failure. The Marine Corps Total Force System (MCTFS) data shows the PFT on 21 June 2021, with 9 pull-ups, 115 crunches, and a run time of 29:56; which matches the details in the fitness report. The AO concluded that Petitioner also failed to provide evidence showing he was within standards on 28 July 2021, the end of the reporting period. Based on the evidence provided, Petitioner was not within standards and, therefore, the adverse report remains valid. Enclosures (10) and (11).

i. In his application, Petitioner provides that he was informed that he failed the PFT and semi-annual weigh in after he reported to his new permanent duty station. Petitioner claims the PFT was conducted on Saturday and while he was on leave; however, the date in the Marine Corps Training Information System (MCTIMS) is Monday 21 June 2021. Petitioner also claims that he was unable to get the official NAVMC since the PFT was recorded on an excel spreadsheet. Petitioner contends that he did not fail the PFT and his run time was 27:56. Petitioner also contends that he was issued the 4 August 2021 Page 11 entry for failing the run portion of the PFT; however, the Page 11 entry was not issued until March 2022. Additionally, the fitness report was signed by the RS on 28 October 2021 but he did not sign it until 22 November 2021. Petitioner also provides that he conducted his first semi-annual weigh-in on 29 June 2021, while on leave, and the Marine Corps Body Composition Worksheet indicates he was within standards on that date and he was within standards during his second semi-annual weigh-in on 17 August 2021. Enclosure (1).

CONCLUSION

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

The Board determined that Petitioner's request to remove his fitness report lacks merit and is not support by evidence. The Board substantially concurred with the PERB's decision that Petitioner's fitness report is valid and Petitioner has not provided any evidence, beyond his own statement, that he passed the PFT and was within standards on 21 July 2021. In this regard, the Board noted that enclosures (5), (6), and (10) consistently document Petitioner's height as 69 inches tall, weight as 202 pounds, and body fat as 23 percent. The Board also noted that enclosures (3) and (6) both document Petitioner's PFT failure. The Board determined that Petitioner failed to provide sufficient evidence of an error regarding his PFT score, height, weight, and body fat documented in the aforementioned enclosures.

The Board, however, noted an error involving the 4 August 2021 Page 11 entry. In this regard, the Board noted that the Page 11 entry was issued after the end of the reporting period. According to reference (d), reported derogatory material must be issued during the reporting period. Specifically, it states, "Mark the block with an "X" if the MRO was the subject of derogatory material . . . during the reporting period." In this case, Petitioner's Page 11 entry was not issued during the reporting period. The Board also noted that the Page 11 entry was dated

after Petitioner's transfer from his command and it was signed by Petitioner's former commanding officer. Petitioner transferred on 28 July 2021 and, according to enclosures (2), (6), and (7), he was on Permanent Change of Station leave on 4 August 2021; the dated annotated on the Page 11 entry. Because Petitioner was no longer a member under that commanding officer's authority, that commanding officer was not authorized to issue the Page 11 entry. Accordingly, the Board determined that Petitioner's Page 11 entry was issued in error and should be removed. Moreover, any mention of the Page 11 entry should be removed from the contested fitness report.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosures (8) and (9); Petitioner Administrative Remarks (Page 11) entry and associated rebuttal statement.

Petitioner's naval record be corrected by removing the following from enclosure (6), Petitioner's fitness report for the reporting period 1 January 2021 to 28 July 2021:

- Remove the 'X' from Section A, Item 6b Derogatory Material.
- From Addendum Page 1, remove the statement, "Directed Comment: Section A, Item 6b: was issued a 6105 as a result of failing the Physical Fitness Test."

No other corrections to Petitioner's naval record.

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

- 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.

8/11/2025

