



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

█
Docket No. 1718-25
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code (USC). 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 17 December 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 16 January 2025 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 14 November 2024 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23). 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 15 June 2021 to 9 June 2022 because the fitness report was “unfairly affected by [your] submission of a religious accommodation and refusal to receive the COVID-19 vaccine” as evidenced by the report being “well below average with no prior counseling” from your reporting officials regarding “under-performance.” Specifically, you contend the Reporting Senior “routinely voiced contempt for all who refused the vaccine” and the Reviewing Officer “gave [you] a direct order to get the vaccine, which [you] refused.”

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable Performance Evaluation System Manual guidance. The Board, substantially concurring with the AO, determined your arguments for relief lack merit. Specifically, the Board concurred that the fitness report is not adverse in nature; contains no mention of the COVID-19 vaccine, your request for religious accommodation and/or your refusal to be vaccinated; and fails to even imply your performance marks were impacted by your decisions regarding the vaccine. Based on the available, the Board concluded there is insufficient evidence of an error or injustice warranting your requested 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,

12/31/2025

