



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

[REDACTED]
Docket No. 2031-25
Ref: Signature Date

[REDACTED]

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 24 September 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.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

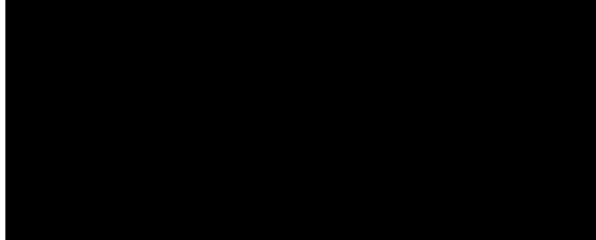
The Board carefully considered your request to remove the Administrative Remarks (Page 11) counseling entry dated 7 April 2023 because you were actually “attempt[ing] to report fraternization that had a detrimental effect on the unit.” Specifically, you contend you were accused of sexual harassment because you talked about an inappropriate relationship between two service members within your command and work environment. You further contend you were “not given fair treatment throughout [your] attempts to report.” You also contend that not only were you punished, but you also did not receive an award because of the incident and your reenlistment was impacted because you were only allowed to reenlist For Further Observation which has prevented you from assignment at a new duty station, receiving incentives for reenlistment, or competing for Special Duty Assignments. Additionally, you contend the individuals that were in an inappropriate relationship were not the subject of administrative action. Lastly, you contend “many of [your] leaders” encouraged you to reach out to the Board because your case was unusual and should be reviewed.

The Board, however, determined the Page 11 entry of 7 April 2023 is an administrative remarks entry that creates a permanent record of matters your Commanding Officer (CO) deemed significant enough to document, especially in light of the Commanding General's determination you violated MCO 5354.1F by committing sexual harassment. The Board carefully considered your contentions but determined the CO has wide discretion regarding the subject matter of a Page 11 entry, and it is within his discretionary authority to determine if/when a Page 11 entry is warranted. The Board also noted you availed yourself of the opportunity to provide a rebuttal statement and that statement is properly included with the counseling entry in your official military personnel file. Based on the available evidence, the Board concluded there was insufficient evidence of an error or injustice to warrant removing the Page 11 entry of 7 April 2023. 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,

11/18/2025

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