



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD
ARLINGTON, VA 22204

[REDACTED]
Docket No. 2188-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

Ref: (a) 10 U.S.C. § 1552
(b) MCO 1610.7B

Encl: (1) DD Form 149 w/enclosures
(2) Fitness report for the reporting period 1 Jun 21 to 31 Aug 22
(3) [REDACTED] memo, subj: Inaccuracy of Fitness Report ID 3447760 Comparative Assessment Marking ICO Petitioner, 15 Oct 24
(4) [REDACTED] memo, subj: Inaccuracy of Fitness Report ID 3447760 Comparative Assessment Marking ICO Petitioner, 15 Oct 24
(5) Performance Evaluation Section ltr 1610 MMPB-23, subj: PERB AO, 22 Jan 25
(6) CMC ltr 1610 MMPB-21D/PERB, subj: PERB Decision, 11 Feb 25
(7) Petitioner Promotion History
(8) HQMC memo 1610 MMPB-23, subj: Removal of Failure of Selection ICO Petitioner, 26 Feb 25

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by modifying his fitness report for the reporting period 1 June 2021 to 31 August 2022. Petitioner also requests removal of all his failures of selection (FOS).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 10 September 2025 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

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:

a. While assigned to the [REDACTED], Petitioner received an observed fitness report for the reporting period 1 June 2021 to 31 August 2022. Enclosure (2).

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- b. In a memorandum dated 15 October 2024, Petitioner's former Reviewing Officer (RO) acknowledged an error in marking the comparative assessment and request the Performance Evaluation Review Board (PERB) correct his error and change his inadvertent "6" block marking to the "7" block. He also acknowledged the impact this correction will have on reports he has observed on other Marines of the same grade. Enclosure (3).
- c. In a memorandum dated 28 October 2024, Petitioner's former Reporting Senior (RS) acknowledged that the report type should have been marked Academic. During this reporting period, Petitioner was in an academic status as a Foreign Professional Military Education Student. Enclosure (4).
- d. On 11 November 2024, Petitioner submitted a petition to the PERB requesting to revise his fitness report to reflect an Academic report because he was a student at the [REDACTED] [REDACTED] during the reporting period. Additionally, he requested to change the comparative assessment rating from "6" to "7," as recommended by the RO. Enclosure (1).
- e. The advisory opinion (AO) dated 22 January 2025, was provided by Headquarters, U.S. Marine Corps Performance Branch (MMPB-23) for the Board's consideration recommending that Petitioner's request be granted, in part. The AO determined that the contested report type should be changed from Normal to Academic to accurately reflect Petitioner's academic status during the reporting period. The AO also noted that Academic reports do not generate a relative value or comparative assessment mark on the Master Brief Sheet (MBS) and are not recorded on the RS or RO profiles. As a result, Petitioner's request to change the comparative assessment lacks merit because the intent of this block is to provide the RO an opportunity to compare a Marine to all Marines of the grade. Because academic reports are not compared to others, a change from "6" to a "7" does not provide a comparison nor is it visible on the MBS. Therefore, the AO recommended that this portion of the request should not be approved. Enclosure (5).
- f. On 11 February 2025, the Marine Corps Performance Evaluation Review Board (PERB) approved a partial correction to Petitioner's record by changing the report's type to Academic. Enclosure (6).
- g. On 25 July 2023, the FY 2025 Active-Duty Lieutenant Colonel Promotion Selection Board convened. Petitioner was properly considered and failed selection. Enclosure (7).
- h. On 7 May 2024, the FY 2026 Active-Duty Lieutenant Colonel Promotion Selection Board convened. Petitioner was properly considered and failed selection. Enclosure (7).
- i. On 25 April 2025, the FY 2027 Active-Duty Lieutenant Colonel Promotion Selection Board convened. Petitioner was properly considered and failed selection. Enclosure (7).
- j. In his application, Petitioner contends the fitness report was erroneously processed as a Normal report while he was a student at [REDACTED]. The RS and RO provided memorandums for the record requesting correction and resolution. During a records review it was identified that the contested fitness report was not submitted in accordance with reference (b). Enclosure (1).

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k. The AO provided by the Marine Corps Performance Branch (MMPB-23) for the Board consideration recommended approval of Petitioner's request to remove the FOS incurred during the FY 2025 and FY 2026 Lieutenant Colonel Promotion Selection Boards (PSBs). The AO explained that the presence of significant positive correction in a Marine's record is the most important factor in the formulation of the opinion in any consideration of a FOS removal request. In this instance, following the approved change, the Reporting Summary Official Information section on Petitioner's MBS for the grade of Major reflected a notable shift. The AO noted that Petitioner's at processing category was previously split 50/50 between the upper and middle profiles for Majors and saw a significant adjustment to 100 percent upper profile for Majors. Similarly, the cumulative category saw the same significant adjustment to a 100 percent upper profile for Majors. The AO determined that the summation of the change to the report is significant and would have improved the perception of competitiveness had the record been correct at the time of the FY 2025 and FY 2026 Lieutenant Colonel PSB convening dates. Enclosure (8).

CONCLUSION

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

Considering the corrective action by the PERB and AO recommendations, the Board determined that Petitioner's request to remove his FOS has merit. In this regard, the Board noted that the PERB's correction to Petitioner's record created a significant shift in his at processing and cumulative relative values. The Board concurred with the AO that the change would have improved the perception of Petitioner's competitiveness had the record been correct when the FY 2025 and FY 2026 Lieutenant Colonel PSB convened. Additionally, because Petitioner was above zone during the FY 2027 Lieutenant Colonel PSB, the Board determined that Petitioner was disadvantaged and should be afforded the opportunity for in-zone consideration with a corrected record.

However, even after considering enclosure (3), the Board concurred with the MMPB-23 AO that a change to Petitioner's comparative assessment is not warranted. As an academic report, Petitioner is not compared to other officers of the same grade nor is the comparative assessment visible on the MBS. The Board determined that the PERB's correction to Petitioner's fitness report is sufficient to address the error and no additional changes are warranted.

RECOMMENDATION

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

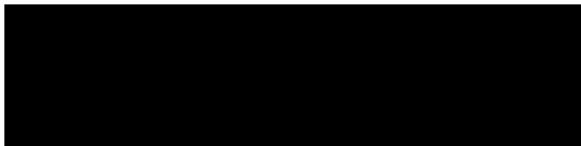
Petitioner's naval record be corrected by removing Petitioner's failures of selection for promotion by the FY 2025 through FY 2027 Active-Duty Lieutenant Colonel Promotion Section Boards.

No other changes to Petitioner's record.

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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.

11/20/2025



Executive Director
Signed by: [REDACTED]