



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED] Docket No. 2887-25

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 26 November 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 7 February 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23) and the 13 March 2025 PERB decision letter. Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

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

The Board carefully considered your request to remove from your record your fitness report for the reporting period of 26 June 2022 to 19 June 2023. The Board considered your contentions that: (1) your evaluation was unfair because your Reporting Senior (RS) did not follow proper evaluation guidelines per the PES Manual, (2) the absence of mandatory initial and follow-up counseling further compounded this unfair evaluation, preventing you from receiving the guidance necessary to succeed in the uniquely challenging environment of [REDACTED] [REDACTED]), (3) the RS acknowledged the severe challenges Marines face upon arrival at [REDACTED] including steep learning curves and

unbalanced workloads, as indicated in a PowerPoint presentation he delivered, (4) despite systemic challenges, you did not receive initial counseling within the required 30-day window, nor were any follow on sessions held through the reporting period (5) these issues constitute and indirect violation of MCO 1610.7, which mandates that Marines receive clear guidance, performance expectations, and constructive feedback at the outset and during the course of their assignments, (6) that without the required initial counseling session, you were left without a clear understanding of the specific performance expectations for your role, how to successfully navigate the command's complex and nuanced processes, and how to manage the unbalanced workload that disproportionately affected active-duty personnel, (7) that the lack of follow-up counseling sessions meant you were deprived of timely feedback that could have helped you seek guidance on how to overcome the significant challenges of the command, (8) that you took proactive steps to request guidance, but a formal initial counseling session was delayed, (9) that an attempted initial counseling session was interrupted, preventing the proper completion of the session before your fitness report brief on 15JUN23, (10) that you questioned the rationale behind a below-average performance evaluation, but your RS was unable to provide justification, (11) that the evaluation system is fundamentally designed to provide structured feedback to aids Marines in their growth and ensure their performance aligns with RS's expectations, (12) that the evaluation system requires that marks in a FITREP be substantiated with clear justifications, and when the RS cannot provide valid reasons for below average marks, it undermines the fairness and integrity of the evaluation process, and (13) that Marines are expected to improve based on feedback; however, when such feedback is either unavailable or unjustified, the system becomes arbitrary and potentially damaging to the Marine's career progression.

The Board, however, concurred with the PERB's decision and found that you did not meet the burden of proof, or show by preponderance of evidence, probable material error, substantive inaccuracy, or injustice warranting removal of your fitness report. The Board determined that your RS adhered to the PES Manual and, because his comments on your report were not actually adverse, he was not required to supply justification. On this point, the Board agreed with the AO that a fitrep in the bottom third of a RS's profile does not indicate below average performance or indicate an adverse report. On the matter of counseling, the Board also agreed with the AO that relief is not generally granted based solely on alleged absence or delay of counseling, since counseling can manifest in various forms. In your case, the AO highlighted that your RS did provide a list of top priorities to focus on in your role; which are also detailed in the Billet Description section of your report. Additionally, the report spans nearly a year (359 days) of service; during which there is evidence of communication between you and the RS throughout. Further, regarding your contention that your low report score is related to lack of counseling, the Board notes that the RS provided context for the evaluation and explained that, at the time of processing, the other two reports he authored for O4's were for high performers. Further, the perceived competitiveness of a report's relative value or comparative assessment mark is not a basis for removing the report. Lastly, regarding your contention that the purpose of the PES Manual is to provide structured feedback to aid Marines in their growth is a misunderstanding, the Board disagreed and determined the PES primarily supports the centralized, selection, promotion, and retention of the most-qualified Marines. In addition, it aids in the assignment of personnel and personnel management decisions. 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,

12/12/2025

