



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 4734-25
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 4 March 2026. 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 29 April 2025 decision by Headquarters, U.S. Marine Corps (HQMC), Performance Evaluation Review Board (PERB) and the 26 March 2025 Advisory Opinion (AO) provided to the PERB by HQMC, 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 13 January 2024 to 1 June 2024 because the periods of non-availability should have rendered the report not observed. Specifically, you contend that removing the non-availability days would result in only 51 days of observation time and render the report not observed. Further, you contend the report was not conducted within the spirit of the Performance Evaluation System (PES) Manual and the "lackadaisical approach to counseling and the lateness of the report suggest that administrative readiness and officer development [were] an afterthought." Lastly, you noted you were not given access to the command climate survey despite being administratively attached to the command.

The Board noted the PERB modified the contested fitness report by making the Reporting Senior portion not observed because the confirmed period of non-availability reduced the observation period. The Board, thus substantially concurred with the AO and the PERB Decision that the report, as modified by the PERB, is valid as written and filed, in accordance with the applicable PES Manual guidance. Further, the Board, substantially concurring with the AO, determined the

removal of the report would constitute an excessive form of redress and concluded the modification provided appropriate relief. Based on the available evidence, the Board concluded there is insufficient evidence of error or injustice warranting your request to remove the contested fitness report.

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,

3/13/2026

