



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

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Docket No. 5256-25
Ref: Signature Date

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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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. 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 16 May 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 28 March 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

The Board carefully considered your request to modify, or in the alternate, remove the fitness report covering the period of 1 January 2019 to 21 July 2019, from your Official Military Personnel File (OMPF), due to unjust or incorrect words contained in the comment section; specifically, the word “commiserate,” and a recommendation for Resident Professional Military Education (PME) since it is typically recommended only for officers.

Regarding use of the word “commiserate,” and the PME recommendation, the Board noted the PERB already corrected your fitness report with regard to both matters and, therefore, no further corrective action is warranted. Regarding your remaining contention, that the Reviewing Officer (RO) comments create inconsistency because they do not adequately support your comparative assessment, the Board substantially concurred with the PERB’s decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting further

modification or removal of your fitness report. On this point, the Board agreed with the PERB that there is no Performance Evaluations System (PES) Manual scale to “match” RO comments with a comparative assessment. Furthermore, the perceived competitiveness of a report is not a valid reason for modifying or removing the report. The Board thus concluded, there is no probable material error, substantive inaccuracy, or injustice warranting further modification of the fitness report. Accordingly, given the totality of the circumstances, the Board determined 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,

3/20/2026

