



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

BJG  
Docket No: 3056-02  
13 November 2002

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

Subj: EX-CP [REDACTED], USMC, [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 20 Feb 01 (sic) w/attachment  
(2) HQMC MIFD memo dtd 24 Apr 02  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by changing his proficiency/conduct marks of 7 October 1959 from "2.9/2.9" to "4.0/4.0," and changing his final marks of 19 December 1959 ("4.4" in conduct and "4.3" in proficiency) accordingly. A copy of his Record of Service, showing the marks in question, is at Tab A to enclosure (1).

2. The Board, consisting of Messrs. McBride, Novello and Schultz, reviewed Petitioner's allegations of error and injustice on 7 November 2002, and pursuant to its regulations, determined that the limited corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the Headquarters Marine Corps office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants partial relief. The advisory opinion recommended that his contested marks be changed to "N/A/N/A" (not applicable), and that his final marks be changed accordingly: conduct from "4.4" to "4.5" and proficiency from "4.3" to "4.6."

**CONCLUSION:**

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting partial relief, specifically, removing the contested marks, replacing them with "N/A/N/A," and changing the final marks accordingly. They are unable to find what marks Petitioner should have been assigned, instead of the marks at issue. In view of the above, the Board directs the following limited corrective action.

**RECOMMENDATION:**

a. That Petitioner's naval record be corrected, where appropriate, by changing his proficiency/conduct marks of 7 October 1959 from "2.9/2.9" to "N/A/N/A"; and that his final marks of 19 December 1959 be changed accordingly: conduct from "4.4" to "4.5" and proficiency from "4.3" to "4.6."

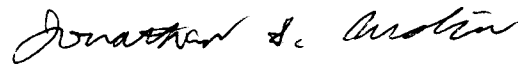
b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

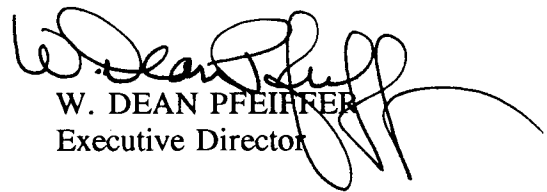
d. That Petitioner's request to change the contested marks of 7 October 1959 to "4.0/4.0" be denied.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN  
Recorder

  
JONATHAN S. RUSKIN  
Acting Recorder

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 Regulations, 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.

  
W. DEAN PFEIFFER  
Executive Director



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

3056-03  
IN REPLY REFER TO:  
1070  
MIFD  
24 APR 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF FORMER MEMBER [REDACTED]

1. Former Member [REDACTED] application has been reviewed concerning his request to correct his PRO/CON Marks dated 7Oct59 from 2.9/2.9 to 4.0/4.0 and correct the final markings dated 19Dec59 to reflect the change.
2. NAVMC P-1103-PD (Rev. Jun 59), Personnel Records and Accounting Manual (PRAM) contains guidance in the assignment of PRO/CON Marks. Paragraph 4006.2 provides the general guidance in the maintenance of page 3 of the Service Record Book (SRB) that is designed for recording chronologically a Marine's service history from the time of their entry until separation from the service. Paragraph 4006.5 provide standards that will be used as a guide in assigning conduct marks; however, full discretion is left to commanding officers to deviate therefrom for good and sufficient reasons. Paragraph 4006.5 provide standards that will be used as a guide in assigning duty proficiency marks that indicate how well a Marine performs his/her primary duties during the marking period. Paragraph 4000.2c guidance in what is authorized in making corrections to a Marine's SRB.
3. The following comments/opinions are provided:
  - a. Former Member [REDACTED] was assigned PRO/CON marks of 2.9/2.9 for reporting period 2Aug59 to 7Oct59 by his commanding officer per the PRAM.
  - b. The standards of proficiency marks of 2.9 were based upon the judgement of Former Member [REDACTED] commander evaluating his general military subjects and duty proficiency during the reporting period of 2Aug59 to 7Oct59. These standards per paragraph 4006.6 of the PRAM are: "Does acceptable work in some of his duties but cannot be depended upon. Needs assistance and close supervision on all but the simplest assignments."

Subj: BCNR APPLICATION IN THE CASE OF FORMER MEMB ██████████

c. The assignment of conduct marks of 2.9 were based upon the judgement of Former Member ██████████ commander evaluating his conduct during the reporting period of 2Aug59 to 7Oct59. These standards per paragraph 4006.5 of the PRAM are: "No special court-martial, not more than one summary court-martial, or two nonjudicial punishments that involve confinement or reduction in rank. Considered to meet minimum standards."

d. It can be possible that Former Member ██████████ level of conduct and performance be degraded to a 2.9/2.9 level in less than sixty days, however, it seems unlikely in this case based upon the sustained level of performance during the previous reporting periods.

e. The assignment and authentication of the proficiency marks were completed by Former Member ██████████ commander as required by paragraph 4006.2 of the PRAM.

f. The assignment of 2.9/2.9 PRO/CON markings appears to be without good and sufficient reasons based upon the absence of proper documentation in his SRB per the PRAM.

4. The preferred method of correction would be to locate his former commander or other officials identified in paragraph 4006.2b of the PRAM and request a correction to the assigned markings. However, due to the age of the entries, this method is not feasible.

5. Under these circumstances, appropriate corrections per the PRAM would be by deleting the PRO/CON marks of 2.9/2.9 dated 7Oct59 by the correction method of drawing a thin inked line through the entry to be changed and enter "N/A"/"N/A" directly above the original entries. Accordingly, the "Final Average Markings" would be corrected by the same method to reflect the correct final average markings.

6. In view of the above, it is recommended that:

a. The Board for Correction of Naval Records approve Former Member ██████████ request to correct his PRO/CON marks dated 7Oct59 from 2.9/2.9 to read "N/A"/"N/A" and the final markings dated 19Dec59 to reflect "conduct 4.5" and proficiency "4.6".

Subj: BCNR APPLICATION IN THE CASE OF FORMER MEMBER [REDACTED]  
W [REDACTED]

b. The Board for Correction of Naval Records authorize the corrections to Former Member [REDACTED] SRB using the correction method in paragraph 5 above.

c. The Board for Correction of Naval Records direct that a copy of the letter authorizing those corrections to be permanently retained on file in his SRB.

7. Point of contact [REDACTED] 278-6843

[REDACTED]  
[REDACTED]  
[REDACTED]

Head, Manpower Information  
Field Support Branch,  
Manpower Management Information  
Systems Division