



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JSR

Docket No. NR3392-14

8 January 2015

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 24 Jan 14 w/attachments
(2) HQMC JPL memo dtd 29 Aug 14
(3) HQMC MIQ memo dtd 6 Oct 14
(4) 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 removing the service record page 11 ("Administrative Remarks (1070)") entries dated 16 February and 7 October 2012 (copies at Tabs A and B, respectively).

2. The Board, consisting of Messrs. Chapman, Koman and Spain, reviewed Petitioner's allegations of error and injustice on 8 January 2015, and pursuant to its regulations, determined that the 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 (HQMC) Personnel Law Branch commented to the effect that the request should be denied.

c. In correspondence at enclosure (3), the HQMC Manpower Information Quality Assurance, Manpower Information Systems Division has commented to the effect that the contested entry dated 16 February 2012 should stand, but that the entry dated 7 October 2012 should be removed.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board finds the existence of an error and injustice warranting partial relief, specifically, removing the contested entry dated 7 October 2012. In this connection, the Board concurs with enclosure (3) and disagrees with enclosure (2). The Board concurs with both enclosures (2) and (3) in finding the entry dated 16 February 2012 should stand. In view of the foregoing, the Board directs the following limited corrective action:

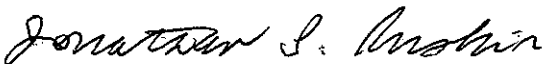
RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing the service record page 11 ("Administrative Remarks (1070)") entry dated 7 October 2012. This is to be accomplished by physically removing the page 11 on which the entry appears, or completely obliterating the entry so it cannot be read, rather than merely lining through it.

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 the remainder of Petitioner's request 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.


JONATHAN S. RUSKIN
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.



ROBERT J. O'NEILL
Executive Director