



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

BJG
Docket No: 5641-99
7 October 1999

CAP [REDACTED] USMC
[REDACTED]
[REDACTED]

Dear C [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

It is noted that the Commandant of the Marine Corps (CMC) has returned your contested fitness report for 2 July 1997 to 8 May 1998 to your reviewing officer for completion of his certification.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 October 1999. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the report of the Headquarters Marine Corps Performance Evaluation Review Board (PERB), dated 31 August 1999 with enclosure, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the report of the PERB. Accordingly, your application for relief beyond that effected by CMC has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



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

5641-99

IN REPLY REFER TO:
1610
MMER/PERB
AUG 31 1999

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: MARINE CORPS PERFORMANCE EVALUATION REVIEW BOARD (PERB)
ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF
CAPTAIN [REDACTED] USMC

Ref: (a) Captain [REDACTED] DD Form 149 of 7 Apr 99
(b) MCO P1610.7D w/Ch 1-4

Encl: (1) Completed Fitness Report 970702 to 980508 (TR)

1. Per MCO 1610.11C, the Performance Evaluation Review Board, with three members present, met on 30 June 1999 to consider Captain [REDACTED] petition contained in reference (a). Removal of the fitness report for the period 970702 to 980508 (TR) was requested. Reference (b) is the performance evaluation directive governing submission of the report.

2. The petitioner points out the absence of the completion by Colonel [REDACTED] the "Reviewing Officer's Certification" on page two of the report. It is his belief that the presence of two marks of "excellent" in Section B (Items 14f and 14l) made it imperative that the Reviewing Officer should have sighted the report and provided amplifying comments.

3. In its proceedings, the PERB concluded that:

a. The presence of Col. [REDACTED]'s initials in Item 25 of the report certainly lends credence to the fact that he sighted the completed evaluation. That he failed to complete the "Reviewing Officer's Certification" on page two is viewed as an administrative error that does not invalidate the overall substance of the challenged evaluation. In this regard, the Board concluded that return of the report to Colonel [REDACTED] for such action would be appropriate.

b. Colonel [REDACTED] ^{second} as completed the "Reviewing Officer's Certification", albeit marking the ~~first~~ block indicating he ~~did~~ had a ^{limited} ~~not have sufficient~~ opportunity to observe the petitioner, and ~~therefore had no comment~~. As a final matter, and contrary to what the petitioner may believe, marks of "excellent" require no justification/comment by either the Reporting Senior or the Reviewing Officer.

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CAPTAIN [REDACTED] USMC

4. The Board's opinion, based on deliberation and secret ballot vote, is that the contested fitness report, as reflected in the enclosure, should remain a part of Captain [REDACTED] official military record.

5. The case is forwarded for final action.



Colonel, U.S. Marine Corps
Deputy Director
Personnel Management Division
Manpower and Reserve Affairs
Department
By direction of the Commandant
of the Marine Corps

SECTION A: COMPLETED BY REPORTING SENIOR (USE CHECK-FONT TYPEWRITER)

PROGRAM: DFR

ORGANIZATION: [REDACTED]

REG: [REDACTED]

REPORTING TITLE: [REDACTED]

GRADE: [REDACTED]

STATUS: [REDACTED]

PERIOD COVERED: [REDACTED]

TYPE OF REPORT: [REDACTED]

PERIOD OF NONAVAILABILITY: [REDACTED]

REPORTING SENIOR: [REDACTED]

GRADE: [REDACTED]

STATUS: [REDACTED]

IDENTIFICATION NO: 007627633

NAME AND DUTY ASSIGNMENT: G P OLSON COMMAND INSTRUCTOR

REPORTING SENIOR: USMC MAJ

REPORTING TITLE: STUDENT

MONTHS: 20

GRADE: RGA

LINE NO: NA

OWOS: NA

SPECIAL ASSIGNMENT: NNA226

RESERVED FOR FUTURE USE: [REDACTED]

RESERVED FOR FUTURE USE: [REDACTED]

ORGANIZED RESERVE SKILLS: [REDACTED]

DEPENDENTS REQUIRING TRANSPORTATION: [REDACTED]

LOCATION: [REDACTED]

ADDRESS: [REDACTED]

DUTY PREFERENCE (Code): Y00 Y00 Y00

DUTY PREFERENCE (Descriptive Title): AS DIRECTED AS DIRECTED AS DIRECTED

SECTION B: COMPLETED BY REPORTING SENIOR (USE BLACK INK AND FILL THE BOX TO INDICATE YOUR ESTIMATE OF THIS MARINE)

12. SPECIAL CASE (Mark if applicable)	12a. NOT OBSERVED REPORT	12b. EXTENDED REPORT	12c. REGULAR DUTIES	12d. ADDITIONAL DUTIES	12e. ADMINISTRATIVE DUTIES	12f. HANDLING OFFICERS (When known)	12g. HANDLING ENLISTED PERSONNEL	12h. TRAINING PERSONNEL	12i. TACTICAL HANDLING OF TROOPS	12j. ENDURANCE	12k. PERSONAL APPEARANCE	12l. MILITARY PRESENCE		
13. PERFORMANCE	13a. COOPERATION	13b. INITIATIVE	13c. JUDGMENT	13d. PRESENCE OF MIND	13e. FORCE	13f. LEADERSHIP	13g. LOYALTY	13h. PERSONAL RELATIONS	13i. ECONOMY OF MANAGEMENT	13j. GROWTH POTENTIAL	15. YOUR ESTIMATE OF THIS MARINE'S GENERAL VALUE TO THE SERVICE			
14. ATTENTION TO DUTY	16. CONSIDERING THE REQUIREMENTS OF SERVICE IN WAR, INDICATE YOUR ATTITUDE TOWARD PAYING THIS MARINE UNDER YOUR COMMAND													
17. HAS THE MARINE BEEN THE SUBJECT OF ANY OF THE FOLLOWING REPORTS?											18. REPORT BASED ON OBSERVATION		19. QUALIFIED FOR PROMOTION	
20. RECOMMENDATION FOR NEXT DUTY (CONCLUDE WITH NO)											21. RESERVED FOR FUTURE USE			

SECTION C: REPORTING SENIOR (USE TYPEWRITER)

FOR OFFICIAL USE ONLY. THIS SPACE MUST NOT BE LEFT BLANK. DISCUSS ONLY THE MERITS OF THE MARINE REPORTED ON. THIS SPACE MUST NOT BE LEFT BLANK. Forced outspoken and strong opinion. Unwilling to contribute during discussions on any subject; digs in and holds his ground unswayed by peer pressure or popular opinion. Significantly enhanced his classmates understanding of fire support in the infantry battalion; took strides towards becoming a MAGTF officer rather than an infantry officer. 81mm mortar instructor during FSCAC at 29 Palms; contributed to his classmates' education. Concerned about the Corps; agonizes over issues that affect the infantrymen of the future; active member of riverine warfare concept working group. Willing to work; little patience for minutiae; enjoys making decisions and defending them against critique. Conference group S-4A; took charge of complexities of map and book issue/recovery. No lineal standing or final grade is awarded in this learning and evaluation system. MRO'S Ht is 77" and Wt is 230 and is within standards.

SECTION D: SIGNATURES

23. CERTIFY that to the best of my knowledge and belief all entries made hereon are true and correct.

Signature of Marine reported on: [REDACTED] (Date): [REDACTED]

Signature of Reporting Senior: [REDACTED] (Date): 980803

24. (Check box if you have seen this completed report and have no statement to make) I HAVE NO STATEMENT TO MAKE I HAVE ATTACHED A STATEMENT TO MAKE

25. REVIEWING OFFICER'S NAME, GRADE, SERVICE DUTY ASSIGNMENT

26. INITIALS

Signature of Reporting Senior: [REDACTED] (Date): 980829

Encl (1)

USMC FITNESS REPORT STANDARD ADDENDUM PAGE
 NAVMC HQ 775 (2-88) (1810)

5641-99

1. MARINE REPORTED ON		e. MR		f. Grade	
4. SSN		c. First Name		W CAPT	
2. OCCASION AND PERIOD			3. DUTY ASSIGNMENT		
TR			STUDENT		
4. PURPOSE		Adverse Report		HQMC Use	
Continuation		<input type="checkbox"/> AMBC		<input type="checkbox"/>	
<input type="checkbox"/> Section C		<input type="checkbox"/> REVO Statement			
<input type="checkbox"/> RS Certification					
<input checked="" type="checkbox"/> REVO Certification					

5. TEXT

REVIEWING OFFICER'S CERTIFICATION

- I have not had sufficient opportunity to observe this Marine, so I have no comment.
- I have had only limited opportunity to observe this Marine, but from what I have observed I generally concur with the Reporting Senior's marks in Items 15a and b.
- I have had sufficient opportunity to observe this Marine, and concur with the Reporting Senior's marks in Items 15a and b.
- I have had sufficient opportunity to observe this Marine, and do not concur with the Reporting Senior's marks in Items 15a and b. I would evaluate this Marine as _____ (Item 15a) and rank this Marine as _____ of _____ (only rank those evaluated as Outstanding (OS)).

EMARKS (mandatory if Item 4, above, is checked):

6. SUBMITTED BY		7. GENERAL/SENIOR OFFICER ADVERSE REPORT SIGHTING		
NAME (Last, First, MI)		NAME (Last, First, MI)		
GRADE		TITLE		
COL				
DATE		GRADE	INITIAL	DATE

STAPLE ADDITIONAL PAGES HERE

Page ____ OF ____

Encl (1)

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SIGNATURE *J. Eiland* DATE 940729

NOTE: The information above WILL NOT be entered into any computer program.

11 AUG 1999

MEMORANDUM FOR THE RECORD

Subj: CAPTAIN [REDACTED]

As directed by the Performance Evaluation Review Board in their memorandum 1610 MMER/PERB of 2 July 1999, the subject report was returned to the Reviewing Officer of Record [REDACTED] for completion of the Reviewing Officer's Certification on page two of the report.

The Standard Addendum Page at the adjacent frame is the result of that action and is placed in Captain Eiland's record as directed by the Performance Evaluation Review Board.

[REDACTED]
by direction

Enc(1)