



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

SMC  
Docket No: 05664-00  
8 March 2001

BMC [REDACTED] USN  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Chief [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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 March 2001. 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 advisory opinion furnished by the Navy Personnel Command dated 21 November 2000, 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 advisory opinion. They noted that under Bureau of Naval Personnel Instruction 1610.10, enclosure (2), Annex A, for a summary group of 35 chief petty officers, the maximum number the reporting senior may mark "Early Promote" is seven, and the maximum total for "Early Promote" and "Must Promote" is 18. In view of the above, your application 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  
NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

1610  
PERS-311  
21 November 2000

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

Via: PERS/BCNR Coordinator (PERS-00ZCB)

Subj: BM [REDACTED], US [REDACTED]

Ref: (a) BUPERSINST 1610.10 EVAL Manual

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests block-43 be changed to reflect 16 Promotable, 12 Must Promote, and 7 Early Promote on his fitness report for the period 16 September 1998 to 15 September 1999.

2. Based on our review of the material provided, we find the following:

a. A review of the member's headquarters record did not reveal the report in question to be on file. The report was received, however, it was rejected due to incorrect summary group. The reports were returned to the reporting senior for correction and resubmission. The reports were returned, however, the summary group was still incorrect. We are in the process of returning the reports again for correction.

b. Chief [REDACTED] requesting that block-43 (summary) be changed to reflect 16 Promotables, 12 Must Promotes, and 7 Early Promotes. We can not administratively make the changes the member request on a fitness report.. Only the reporting senior who signed the original report may submit revised material for file in the member's record.

c. Per reference (a), Annex (A), the summary group should read 17 Promotables, 11 Must Promotes, and 7 Early Promotes. Once the reporting senior has corrected the summary block, Chief [REDACTED] record will be corrected to reflect the correct change.

d. The member does not prove the report to be unjust or in error.

3. We recommend the member's record remain unchanged.

[REDACTED SIGNATURE]

Head, Performance  
Evaluation Branch