



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

SMC
Docket No: 08206-00
14 June 2001

CT11 [REDACTED] USN

Dear Petty Officer [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. You requested that the service record page 13 ("Administrative Remarks") entry dated 11 May 1998 be removed, and that the enlisted performance evaluation report for 16 December 1997 to 15 November 1998 be modified by raising the mark in block 36 ("Military Bearing/Character") from "2.0" to "4.0" and raising the mark in block 45 ("Promotion Recommendation") from "Promotable" to "Must Promote."

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 June 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 opinions furnished by the Navy Personnel Command dated 3 and 27 April 2001, copies of which are 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 opinions. They noted that not only the contested service record page 13 entry, but also the performance evaluation report in question indicates that you took and failed the Physical Readiness Test in spring 1998. 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

Enclosures



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

8206-00
1610
PERS-311
3 April 2001

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

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

Subj: [REDACTED], US [REDACTED]

Ref: (a) PERS-651F memo undated

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests blocks 36 and 45 be changed on his performance evaluation for the period 16 December 1997 to 15 November 1998.

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

a. A review of the member's headquarters record revealed the performance evaluation in question to be on file. It is signed by the member acknowledging the contents of the report and his right to submit a statement. The member indicated he did desire to submit a statement. To date, PERS-311 has not received the member's statement and the reporting senior's endorsement.

b. The performance evaluation in question is a Periodic/Regular report. The member requests block-36 be changed from "2.0" to "4.0" and block-45 from "Promotable" to "Must Promote". The member alleges he did not fail the spring PRT, as he did not take the test.

c. We concur with reference (a). When the additional information is submitted we will be able to provide a valid opinion to the member's petition.

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

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

[REDACTED]

Head, Performance
Evaluation Branch



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1700
PERS-651
27 Apr 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR INFORMATION IN THE CASE OF
CTII [REDACTED], USN [REDACTED]

Ref: (a) OPNAVINST 6110.1E

Encl: (1) BCNR Case File 08206-00

1. Enclosure (1) is forwarded with comments and recommendations based on guidance in effect at the time (reference (a)).

2. CTII [REDACTED] requests removal of the NAVPERS 1070/613 (11 May 1999) documenting a Physical Readiness Program failure because he did not participate in a Physical Readiness Test (PRT) during that period.

3. Comments.

a. Request for record change (enclosure 1), does not contain documentation supporting his contention that he did not participate in the PRT identified in the NAVPERS 1070/613 (11 May 1999).

b. Concurrent evaluation from USS CALIFORNIA (CGN-36) provided by member as justifying removal of the NAVPERS 1070/613 (11 May 1999) does not indicate that [REDACTED] was unable to participate in or authorized absence from the PRT in question.

4. Recommendations.

a. Do not remove NAVPERS 1070/613 (11 May 1999) documenting PRT failure. ^{y dm}

b. Suggest member resubmit request and include endorsement from reporting senior or commanding officer.

Subj: REQUEST FOR INFORMATION IN THE CASE OF

[REDACTED] USN, [REDACTED]

5. Point of contact for further information is [REDACTED] al
[REDACTED] Manager, Physical Readiness Program (PERS-65B) at
(DSN) [REDACTED]

[REDACTED]

Deputy Director
Morale, Welfare and
Recreation Division
(PERS-65B)