



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

HD:hd
Docket No. 07350-10
5 November 2010

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 9 Jul 10 w/attachments
(2) OPNAV N135 ltr dtd 21 Sep 10 and Subject's
PRIMS BCA data
(3) PERS-32 memo dtd 24 Sep 10
(4) Subject's ltr dtd 25 Oct 10

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 modifying the enlisted performance evaluation report for 1 April to 15 September 2007, a copy of which is at Tab A, by removing, from block 43 ("Comments on Performance"), the statement "Blk [Block] 36. Due to failure of BCA [Body Composition Assessment] 07SEP07." As indicated below, he also requested modifying the Physical Readiness Information Management System (PRIMS) data to show he passed the Spring 2007 BCA.

2. The Board, consisting of Ms. White-Olson and Messrs. Chapman and Ivins, reviewed Petitioner's allegations of error and injustice on 4 November 2010, 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 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 enclosure (2), the Office of the Chief of Naval Operations stated that the PRIMS data showed Petitioner failed the Spring 2007 BCA, conducted on 2 June 2007.

c. In enclosure (3), the Navy Personnel Command office having cognizance over the subject matter of Petitioner's case commented to the effect that in view of enclosure (2), the contested comment should be modified to read "Blk 36. Due to failure of BCA 2JUN07." That office further stated that the block 20 ("Physical Readiness") entry "WS" (within weight/body fat standards) was correct, as Petitioner passed the Fall 2007 BCA; however, the PRIMS data shows this BCA was conducted on 3 November 2007, after the reporting period.

d. Enclosure (4) is Petitioner's response to enclosures (2) and (3), reiterating his request to remove the statement "Blk 36. Due to failure of BCA 07SEP07" and adding a new request to have the PRIMS data changed to show he passed the Spring 2007 BCA.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an error warranting partial relief, specifically, modification of the contested comment to read "Blk 36. Due to failure of BCA 2JUN07." The Board finds Petitioner's request to have the PRIMS data changed to show he passed the Spring 2007 BCA should be denied, as he provided no evidence to support this request. In view of the above, the Board directs the following limited corrective action:

RECOMMENDATION:

a. That Petitioner's naval record be corrected by modifying as follows the enlisted performance evaluation report for 1 April to 15 September 2007, dated 21 September 2007 and signed by Commander 

Block 43: Change the statement "Blk 36. Due to failure of BCA 07SEP07." to "Blk 36. Due to failure of BCA 2JUN07."

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.

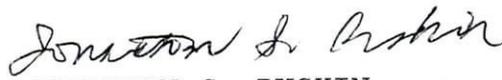
c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this

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 the remainder of Petitioner's request be denied.

4. 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