



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

[REDACTED]
Docket No. 4036-16
MAY 22 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 March 2017. The names and votes of the members of the panel will be furnished upon request. 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.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

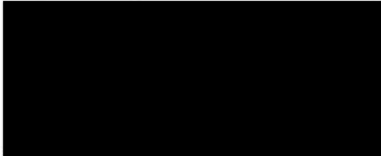
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. You requested that the fitness report ending 21 April 2016 that was signed on 12 April 2016 contained in your Official Military Personnel File (OMPF) be removed and replaced by a fitness report for the same period signed on 20 April 2016. You asserted that the fitness report in your OMPF has been unjustly falsified and manipulated by the reporting senior.

The Board substantially concurred with the comments contained in the advisory opinion (A/O) that was provided to you on 7 December 2016. Specifically, the Board believes that the evaluation manual authorizes the reporting senior to enter "Certified Copy Provided" in member's signature block when the report is not adverse. In addition, the Board noted that you have the option to contact the reporting senior who can submit a supplemental letter to have changes made to the fitness report. Chapter 15 of the evaluation manual states "After a FITREP or EVAL has been filed in the OMPF/field serve record, it may be modified only through an administrative change or the addition of supplemental material, discussed in this chapter, or

through an appeal process." These supplemental reports can be submitted within two years after the ending date of the report. Your requested correction to your naval record can be corrected administratively and there is no evidence that you have attempted to take this action available to you. Accordingly, your application has been denied.

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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,


Executive Director