



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

█
Docket No: 96-21
Ref: Signature Date

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Dear █:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 9 November 2021. 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 the Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record, applicable statutes, regulations, and policies, as well as the 19 January 2021 Advisory Opinion (AO) furnished by the Navy Personnel Command (PERS-32). The AO was provided to you on 23 September 2021, and you were given 30 days in which to submit a response.

The Board carefully considered your request to remove the concurrent evaluation report and counseling record covering the period 16 June 2018 to 7 September 2018. You contend that the evaluation is erroneous as you received a trait graded report when the period of the report was less than 90 days.

The Board noted that you were in an Individual Augmentee Status and that a concurrent evaluation is required to document the period of duty. The Board concurred with the AO that BUPERSINST 1610.10D allows the concurrent reporting senior to submit either a trait graded or not observed report. The Board determined that the evaluation is valid and does not conflict with the regular graded report you received from your permanent command.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

12/14/2021

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Deputy Director

Signed by: █