



The Board noted the PERB modified the contested fitness report by redacting verbiage referencing the 6105 counseling, removing the first Directed Comment on Addendum Page 1 of 7 in its entirety, and removing the mark in Section A, Item 6b (derogatory material). The Board, thus substantially concurred with the AO and the PERB Decision that the report, as modified by the PERB, is valid as written and filed, in accordance with the applicable Performance Evaluation System Manual guidance. Specifically, the Board determined removal of the 6105 counseling entry does not invalidate the report. Further, the Board noted you received attribute markings of "A" with associated justification devoid of any reference to the erroneous 6105 entry and were non-recommended for promotion by the Reporting Senior and RO, all of which are grounds for report adversity. The Board thus concluded there is insufficient evidence of an error or injustice warranting removal of the adverse fitness report from your record.

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,

11/29/2021



Executive Director

Signed by: 