



judgement. You claim that the Board granted relief by removing the page 11 entry and you were told that the report was adverse due to the page 11 entry. Therefore, you argue that since the Board determined that your page 11 entry was erroneous, removal of your fitness report is justified.

The Board, however, substantially concurred with the PERB decision that your fitness report is valid and should be retained as modified. In this regard, the Board noted that the PERB approved a correction to your record by removing the mark in Section A, Item 6b (Derogatory Material) and removed the Section I Directed Comment "MRO received a 6105 counseling due to lack of performance, integrity violation, and was hereby relieved for cause." The Board also noted that, as modified, your fitness report does not contain any reference to a page 11 entry, was marked adverse for Performance and Setting the Example, and did not recommended you for promotion. Additionally, the Board considered that you were relieved for cause due to an integrity violation, continued poor performance, and your chain of command lost their trust and confidence in your abilities to lead. Based on these factors, the Board determined that the adverse nature of your fitness report was not limited to your erroneous page 11 entry and your reporting officials provided substantial justification to support the adverse nature of your fitness report. The Board also determined that the Board's decision to remove your page 11 entry does not constitute a sufficient basis to remove your fitness report. The Board noted, too, the correspondence furnished by your former reviewing officer, and concurred with the AO that your RO's recommendation was not sufficiently compelling to warrant removal of your fitness report.

Concerning your contentions that the GCMCA should have submitted a ROM or Report of Substandard Performance, the Board determined that your contentions are not supported by the applicable regulations since the PES Manual does not require a ROM or Report of Substandard Performance when an adverse fitness report is submitted. Concerning the reporting occasion of your fitness report, the Board also determined that the reporting occasion is not in error. Moreover, the Board found no evidence that your RS's personal opinion of you affected his judgment and you provided none. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

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,

2/23/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]