



The Board, however, substantially concurred with the 16 April 2021 AO and the PERB's finding that the report is valid as written and filed, in accordance with the applicable Performance Evaluation System (PES) Manual guidance. In this regard, the Board noted the letter from the RO; however, although submitted with good intentions, the RO's endorsement omitted any new evidence that was unknown at report processing. Moreover, you failed to provide any evidence, beyond the RO's endorsement, that your demonstrated performance and potential at report processing warrants a higher Comparative Assessment mark on your Fitrep, despite the RO's stated "immature" marking philosophy at the time.


The Board also carefully considered your request to modify your 27 August 2018 to 31 May 2019 Fitrep by changing the report from "observed" to "not observed" or alternatively, removing the Fitrep in its entirety. You contend that the RS' Section I comments do not align with the report's Relative Value of 80.00, the RO's Section K comments will only confuse board members and are not relevant, and that the RO concurred with the RS's evaluation yet marked your Comparative Assessment in the "4" block. You assert that the RS's failure to properly manage his Relative Value is adversely impacting your chance at being selected on the Fiscal Year 2021 Lieutenant Colonel Promotion Selection Board.

The Board, however, substantially concurred with the 9 July 2021 AO and the PERB's finding that the Fitrep is valid as written and filed, in accordance with the applicable PES Manual guidance. Moreover, you failed to provide any evidence, beyond your own statement, to support any of your contentions. The Board thus concluded that your evidence is not sufficient to warrant relief.

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 the 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,

2/18/2022

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Deputy Director

Signed by: 