



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

[REDACTED]
Docket No: 5993-21
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USNR, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Administrative Remarks (Page 13) entry of 17 Oct 12
(3) OPNAV N171A memo of 17 Dec 21

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting his naval record be corrected by removing an incorrect permanent Administrative Remarks (Page 13) entry.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 6 January 2022 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner contends the Page 13 entry of 17 October 2012, at enclosure (2), is in error. Specifically, he contends the initial failure was the result of a "bad day," was resolved with a passing score following that drill weekend, and is not reflected in a counseling entry or the performance evaluation covering that timeframe. Petitioner further contends the Page 13 entry is in error because the form is incomplete and is not signed by an officer, witness, or himself.

d. In an advisory opinion (AO) at enclosure (3), OPNAV N171A recommends enclosure

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(2) be removed from Petitioner's record because his records indicate he completed the makeup physical readiness test (PRT) with a passing score in November 2012.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined Petitioner's request warrants relief. The Board, relying on enclosure (3) and noting the incomplete Page 13 entry, concluded enclosure (2) was in error and requires removal.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected by removing enclosure (2), the Page 13 dated 17 October 2012.

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

1/27/2022

[REDACTED]

Executive Director

[REDACTED]