



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

██████████
Docket No: 1199-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████, USNR,
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1610.10E

Encl: (1) DD Form 149 w/attachments
(2) Fitness Report & Counseling Record for the reporting period 1 May 20 to 30 Apr 21
(3) Fitness Report & Counseling Record for the reporting period 1 Feb 21 to 30 Apr 21
(4) Petitioner Officer Data Summary
(5) NPC memo 1610 PERS-32 of 18 Feb 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 that his naval record be corrected by removing his Fitness Report & Counseling Record (Fitrep) for the reporting period 1 February 2021 to 30 April 2021. Enclosure (3).

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 3 March 2022 and, pursuant to its regulations, determined that 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. Petitioner was issued enclosure (2), a Periodic/Regular Fitrep for the reporting period 1 May 2020 to 30 April 2021, while attached to ██████████ Petitioner's service record indicates this command as his parent command since 1 December 2017. Enclosure (4).

c. Petitioner was issued enclosure (3), a Periodic/Regular not observed Fitrep for the reporting period 1 February 2021 to 30 April 2021, while assigned to ██████████ However, Petitioner's history of assignments indicates his report date on 1 March 2021 vice 1 February 2021. Enclosure (4).

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[REDACTED]

d. Petitioner contends the removal of the Fitrep at enclosure (3) is accurate and will make his record more understandable to future promotion selection boards. He asserts the Reporting Senior concurs with the action.

e. Enclosure (5), the advisory opinion (AO) furnished by PERS-32, noted the Petitioner's concerns of having two overlapping Fitreps on file with different beginning dates and the same endings dates. PERS-32 further noted the inconsistencies in the Petitioner's service record and was unable to determine which date the Petitioner was cross-assigned to the various units while attached to [REDACTED]. In consideration of all the evidence, and in accordance with reference (b), PERS-32 determined the Fitrep from [REDACTED] to be unnecessary and recommends removing enclosure (3) from Petitioner's record and retaining enclosure (2) as the report of record.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the AO, the Board finds the existence of an error warranting corrective action. The Board noted that Petitioner furnished sufficient evidence that establishes an injustice warranting removal of enclosure (3) from Petitioner's record. In making this finding, the Board substantially concurred with the AO.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (3), his Fitrep for the reporting period 1 February 2021 to 30 April 2021, from his record.

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.

3/21/2022

[REDACTED]
Executive Director
[REDACTED]