



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

[REDACTED]
Docket No. 2701-22
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/attachments
(2) Evaluation Report and Counseling Record of 16 Nov 20 to 4 Oct 21
(3) Corrected Evaluation Report and Counseling Record of 16 Nov 20 to 4 Oct 21
(4) NPC memo 1610 PERS-32 of 13 Apr 22

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 record be corrected by removing enclosure (2), an evaluation for the period 16 November 2020 to 4 October 2021, from his official military personnel file (OMPF), and replacing it with enclosure (3), a revised evaluation for the same period.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 15 September 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 your application, together with all material submitted in support thereof, relevant portions of your naval record, 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, finds as follows:

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

b. Petitioner received enclosure (2), and signed the evaluation on 4 October 2021; however on that same day errors were discovered with the evaluation; specifically blocks 20 and 29 had incorrect physical readiness data. Petitioner's command corrected the errors in blocks 20 and 29, updated language in block 43, and had Petitioner sign enclosure (3), but accidentally mailed enclosure (2) to PERS-32.

c. Enclosure (4), an advisory opinion (AO) furnished by Navy Personnel Command (PERS-32), notes that reference (b) states changes to an evaluation which has been filed in an OMPF

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record requires a Letter-Supplement and revised evaluation from the original reporting senior (RS). PERS-32 noted that enclosure (3) did not include the Letter-Supplement and that Petitioner could not obtain the Letter-Supplement because the RS had retired. PERS-32 recommended that the Petitioner contact the original command to seek assistance in locating the RS in order to submit the required Letter-Supplement or that the Board direct removal of enclosure (2) and replacement with enclosure (3).

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the advisory opinion, the Board determined that Petitioner's request warrants relief. The Board noted that Petitioner attempted to contact the RS who had retired and the revised evaluation is administratively correct, having both the RS's signature as well as Petitioner's signature. The Board thus concluded that enclosure (2), the original evaluation of 16 November 2020 to 4 October 2021, shall be removed and replaced with enclosure (3), the revised evaluation.

RECOMMENDATION

In view of the above, the Board recommends the following corrective action:

Remove enclosure (2) from Petitioner's record and replace it with enclosure (3), the corrected evaluation of 16 November 2020 to 4 October 2021.

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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

9/30/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]