



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

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Docket No: 7710-22

Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 22 November 2022. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations, and procedures applicable to the proceedings of this Board. 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, as well as the 19 October 2022 advisory opinion (AO) furnished by the Navy Personnel Command (PERS-32) and your response to the AO.

The Board carefully considered your request to remove and replace your fitness report for the reporting period 3 August 2021 to 15 November 2021. The Board considered your contentions that the corrected fitness report increased trait averages and the promotion recommendation that were identified as indicators of substandard performance despite the reporting senior's (RS's) explanatory comments. You claim that the report covered less than 90 days, and was intended to show growth in performance during the overall tour.

The Board, however, substantially concurred with the AO. In this regard, the Board noted that your corrected fitness report and Letter-Supplement were received by PERS-32 and were included in your record. The Board determined that your corrected fitness report and Letter-Supplement are considered supplemental material. According to the Navy Performance Evaluation System Manual, supplemental material does not replace the original report in your official record nor does it change the information on your Performance Summary Record. 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,

12/14/2022

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Executive Director

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