



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

██████████  
Docket No. 9031-22  
Ref: Signature Date

██  
██  
██

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 applications on 28 February 2023. 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies, as well as the Advisory Opinion (AO) provided by Navy Personnel Command (PERS-32). The AO was provided to you on 18 January 2023. Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove the first three pages of your originally submitted Fitness Report and Counseling Record (Fitrep) for the reporting period 1 June 2019 to 6 December 2019, extended to 1 January 2020. The Board considered your contention that the contested Fitrep was initially submitted as with a promotion recommendation of 1 of 1 promotable; however, your reporting senior (RS) subsequently submitted a Letter-Supplement and a revised Fitrep that made corrections to the original report. You believe that the original erroneous Fitrep needs to be removed as it will keep you from having to write a letter to future promotion boards explaining the error.

The Board, however, substantially concurred with the AO in that submission of the original Fitrep, Letter-Supplement, and revised Fitrep comply with the Navy Performance Evaluation System (PES). The Board noted that the Letter-Supplement and revised Fitrep provided by the RS identifies the errors in the original Fitrep. As such, the Letter-Supplement must be attached to the original Fitrep as required by PES Manual guidance. The Board concluded that no further action is warranted and your request is lacking in sufficient evidence of error or injustice

warranting removal of the contested Fitrep from your official military personnel file. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

3/21/2023

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Executive Director

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