



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

█  
Docket No. 9075-22  
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 applications on 7 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 12 December 2022, advisory opinion (AO) provided by the Navy Personnel Command (PERS-32). The AO was provided to you on 27 December 2022, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to replace your fitness report for the reporting period 16 September 2021 to 15 September 2022 with the corrected version. The Board considered your contention that the fitness report was corrected during the debrief and your reporting senior (RS) submitted a revised fitness report with a Letter-Supplement.

The Board, however, substantially concurred with the AO. In this regard, the Board noted that according to the Navy Performance Evaluation System Manual, supplemental material does not replace the original report in the record, nor does it change the information on a members' Performance Summary Record; it only supplements the original report. The Board also noted that the corrected fitness report and Letter-Supplement were properly filed in your record. The Board noted, too, that both reports contain positive comments, trait averages of 4.57 and an Early Promote promotion recommendation and determined that you are not harmed or disadvantaged

by the retention of your original fitness report. 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,

3/1/2023

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Deputy Director

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