



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

██████████
Docket No. 2462-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████, USN,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G

Encl: (1) DD Form 149 w/attachments
(2) Evaluation Report & Counseling Record 16 Mar 20 to 15 Mar 21
(3) Evaluation Report & Counseling Record 28 Feb 20 to 15 Jun 20
(4) Evaluation Report & Counseling Record 16 Jun 20 to 26 Feb 21
(5) Evaluation Report & Counseling Record 27 Feb 21 to 15 Mar 21
(6) History of Assignments, 29 Mar 23
(7) NPC memo 1610 PERS-32, 29 Mar 23

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 her naval record be corrected by removing enclosure (2). Petitioner also requested her Performance Mark Average (PMA) be recalculated for Cycle 112.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 11 April 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy, with the exception of her request for recalculation of her PMA, as noted below. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Petitioner was issued a Periodic/Concurrent Eval for the reporting period 16 March 2020 to 15 March 2021 from ██████████. Petitioner also received Evals from ██████████, ██████████ and ██████████ that covers the same period ending 15 March 2021.
Enclosures (2) through (5).

b. Petitioner contends the contested Eval conflicts with the Evals written while assigned to ██████████ and ██████████ and that these Evals more accurately reflect her performance covering this period.

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c. The advisory opinion (AO), furnished by the Navy Personnel Command (PERS-32), noted that Petitioner's history of assignments indicates she was never assigned to [REDACTED]. PERS-32 determined the contested Eval at enclosure (2) was submitted in error, and recommended its removal from Petitioner's official military personnel file (OMPF). Enclosures (6) and (7).

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 partial relief. The Board substantially concurred with the AO that the contested Eval was submitted in error, and concluded that it shall be removed from Petitioner's OMPF.

With regard to Petitioner's request for her PMA to be recalculated for Cycle 112, the Board noted that removal of her contested Eval will cause her PMA to change. The Board also noted that, for Cycle 112, the limiting date is 31 December 2023. The Board thus determined that, per reference (b), Petitioner should submit an exception to policy, and request recalculation of her PMA through OPNAV N132C.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2).

That part of the Petitioner's request for corrective action that exceeds the foregoing be denied.

That no further changes be made to Petitioner's naval 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.

5/1/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]