



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

[REDACTED]
Docket No. 4694-23

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

Encl: (1) DD Form 149 w/attachments
(2) Fitness report for the reporting period 1 May 20 to 29 Mar 21
(3) [REDACTED] ltr 1600 Ser SP00/052523003 of 31 May 23
(4) [REDACTED] ltr 1610 556-91-8290 of 23 Jun 23
(5) NPC memo 1610 PERS-32 of 7 Jun 23

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting an exception to the Navy Performance Evaluation System Manual (EVALMAN) by permitting the submission of a Letter-Supplement for inclusion in his record after two years from the end of the reporting period.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 18 July 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 19 March 2021, Petitioner was issued a Detachment of Individual/Regular fitness report for the reporting period 1 May 2020 to 29 March 2021. Enclosure (2).

b. In correspondence from Petitioner's former Reporting Senior (RS), he request to amend Petitioner's contested fitness report. The RS noted that Petitioner was assigned to a fast-fill billet. Due to the short-fill and COVID-19 quarantine requirements, the fitness report was hastily prepared and a face-to-face debrief was not possible. Enclosure (3).

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c. In correspondence dated 23 June 2023, Petitioner's RS provided a Letter-Supplement changing the block 36 performance trait from 4.0 to 5.0. Enclosure (4).

d. The advisory opinion (AO) furnished by the Navy Personnel Command (PERS-32) for the Board's consideration, noted that after a fitness report has been filed in the official record, it may be modified only through an administrative change or the addition of supplemental material. The AO determined that the change to Petitioner's fitness report is supplemental and requires a letter supplement from the original RS. Moreover, the EVALMAN requires submission of supplementary material within two years of the ending date of the report and the contested fitness report exceeds this period. The AO recommend that Petitioner's record remain unchanged. However, PERS-32 has no objection to accepting the Letter-Supplement from the original RS if directed by the Board to do so. Enclosure (5).

e. In his application, Petitioner contends that his record should be corrected to accurately reflect the RS's assessment during the reporting period. Petitioner referenced enclosure (3) in support of his request. In response to the AO, Petitioner claims that extenuating circumstances resulted in errors in the fitness report. He is now requesting an exception to policy to add the attached supplemental information outside of the two year window for submission. Enclosure (1).

CONCLUSION

Upon careful review and consideration of all the evidence of record, the Board found the existence of an injustice warranting corrective action.

The Board substantially concurred with the AO that the requested correction to Petitioner's fitness report constitutes an administrative change that requires submission a Letter-Supplement. The Board noted that according to the EVALMAN, supplemental material must be submitted within two years of the ending date of the report. The Board also noted the correspondence furnished by Petitioner's former RS and found the justification sufficient to warrant a correction to Petitioner's record. The Board further noted that inclusion of the Letter-Supplement after two years is an exception to policy and determined that an exception to the EVALMAN is warranted.

RECOMMENDATION

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

Petitioner's naval record be corrected by accepting enclosure (4) for inclusion in 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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

7/31/2023

