



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. 5287-23
Ref: Signature Date

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Dear █,

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 8 February 2024. 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. In addition, the Board considered the advisory opinion contained in Assistant Commander, Navy Personnel Command, Career Progression (PERS-8) memorandum 1910 PERS-8 of 22 January 2024, which was previously provided to you for comment.

In accordance with NAVADMIN 304/17 of 21 December 2017, RMKS/1. This NAVADMIN announces revised Physical Readiness Program separation policies. Adjustments to Physical Readiness Program policies reflect a continued emphasis to invest in and retain our most important resource, our Sailors. Retention of every capable Sailor is critical to the operational readiness of the Navy.

Effective immediately: All commands will discontinue processing members for separation as a result of Physical Fitness Assessment (PFA) failures. Separation orders resulting from PFA failures prior to Soft End of Active Obligated Service (SEAOS) with approved dates after 31 March 2018 are cancelled.

The following applies to all enlisted members: Enlisted members who: (1) Fail one PFA will be issued a NAVPERS 1070/613 via Navy Standard Integrated Personnel System to inform them of the PFA failure, be enrolled in the Fitness Enhancement Program (FEP) until passing the next official PFA, not be frocked or advanced. Members may regain eligibility for promotion by passing a command directed monthly FEP mock PFA. However, they must still remain enrolled in FEP until passing the next official PFA. (2) Fail two or more consecutive PFAs will continue

service until SEAOS. Additionally, these members will be ineligible for advancement under OPNAVINST 6110.1J, will be ineligible to reenlist or extend under NAVPERS 15560D, will receive an adverse report that states Significant Problems on evaluation under BUPERSINST 1610.10D, will be detailed as required, may regain eligibility for advancement and reenlistment by passing one subsequent official PFA.

In line with BUPERSINST 1610.10D and BUPERSINST 1430.16F CH-1, members must obtain the recommendation of their CO for advancement and retention on their most recent evaluation. This may require a special evaluation to restore retention or advancement recommendations after a member passes an official PFA.

On 9 November 2018, you reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 8 November 2022.

In accordance with DoD Instruction 1332.46, published on 21 December 2018, retirement with at least 20 years of service continues to be the basic retirement entitlement for those who complete a career in the Military Services. Temporary Early Retirement Authority (TERA) provides: (1) The DoD with a force management tool that can be used for force shaping through calendar year 2025. TERA is not an entitlement. TERA should be used to retire Service members who are excess to Service short-term and long-term needs and who, absent the availability of TERA, would have been expected to pursue and qualify for a 20-year retirement. (2) Voluntary retirement for Service members with more than 15 but less than 20 years of service who are on: (a) Active duty; or (b) Full-time National Guard duty.

The Secretaries of the Military Departments may prescribe regulations and policies regarding the criteria for eligibility for early retirement in accordance with the authority of Section 4403 of the NDAA for FY 1993, as amended, and this issuance. Eligibility criteria may include factors such as grade, years of service, and viability for advancement and promotion.

To be eligible for early retirement, a Service member must: Be currently serving on active or full-time National Guard. Complete 15 or more years of active service upon the effective date of retirement. c. Meet grade, skill, years of service, and other eligibility criteria as established by the Secretary of the Military Department concerned and as provided in this issuance and Section 4403 of the NDAA for FY 1993, as amended.

On 8 July 2022, you signed an Evaluation and Counseling Record (E-7/E-9) for the period of 16 September 2021 to 7 July 2022. This was a Special report with an Overall PFA failure (Failed body composition assessment (BCA) and physical readiness tests). Under comments on performance the following was listed: "Evaluation submitted upon █ second consecutive PFA failure. BLK 35. █ has failed his BCA measurements during PFA cycle 22-1 and 22-1. I am confident █ will recover with the proper diet and exercise and look forward to seeing his progress." Furthermore, you received no promotion recommendation.

On 27 September 2022, you signed an Evaluation and Counseling Record (E-7/E-9) for the period of 8 July 2022 to 15 September 2022. This was a Periodic report with no Physical Readiness listed, and received a Must Promote.

