



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

█
Docket No. 9164-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1610.10F

Encl: (1) DD Form 149 w/attachments
(2) Evaluation Report & Counseling Record for the reporting period 16 Nov 22 to 30 Jun 23
(3) NPC memo 1610 PERS-32 of 1 Nov 23
(4) Petitioner's NDBP Web Enlisted Data of 1 Nov 23
(5) Admin Officer e-mail response to NPC Memo of 2 Nov 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 the Evaluation Report & Counseling Record (Evaluation Report) for the reporting period 16 November 2022 to 30 June 2023 from her official military personnel file (OMPF).

2. The Board, consisting of █, reviewed Petitioner's allegations of error and injustice on 21 November 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 as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Petitioner was issued an Evaluation Report for the reporting period 16 November 2022 to 30 June 2023 upon her scheduled transfer to the Fleet Logistics Multi-Mission █
█ Forward Deployed Naval Forces (FDNF) Detachment. Enclosure (2).

c. Petitioner contends that the Evaluation Report was submitted for transfer. However, shortly after it was submitted to Navy Personnel Command (NPC) for inclusion in her official record, she was placed in a limited duty status and is still at her present command, Fleet █).

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

d. In the advisory opinion (AO), furnished by the Navy Personnel Command (PERS-32), confirmed that the contested Evaluation Report to be on file. Further, the AO verified that Petitioner is currently attached to [REDACTED]. However, regarding her assertion that she was placed in a limited duty status after submission of the Evaluation Report, the AO noted there was insufficient evidence and she provided none to determine her limited duty status or that the report was submitted in error. Enclosures (3) and (4).

e. In response to the AO, the administrative officer for [REDACTED] re-emphasized that Petitioner is still with [REDACTED] and was unable to execute a permanent change of station on 30 June 2023 due to medical circumstances. Enclosure (5).

CONCLUSION

Upon review and consideration of all the evidence of record, and in light of the response provided by the Administrative Officer, [REDACTED] the Board finds the existence of an error warranting corrective action. The Board noted although Petitioner did not provide sufficient evidence to determine her limited duty status, she did provide sufficient evidence to confirm she is still attached to [REDACTED]. Thus, the Board determined that enclosure (2) was submitted in error and concluded it shall be removed from Petitioner's OMPF.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), her Evaluation Report for the reporting period 16 November 2022 to 30 June 2023.

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.

12/18/2023

[REDACTED]