



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. 10322-23
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 application on 13 December 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 application, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.

The Board carefully considered your request for an exception to policy by removing the original fitness report for the reporting period 22 July 2022 to 30 September 2022 and 28 September 2023 Letter-Supplement, and replacing those documents with the revised fitness report for the same reporting period. You also request consideration for promotion by the Fiscal Year (FY) 2024 Active-Duty Navy O-6 (Staff) Special Selection Board (SSB). The Board considered that your request is based on same reasons as Docket Number NR20230000528. You contend that as of 3 November 2023, 27,500 appraisals were received by the Navy Personnel Command (NPC) via eNavFit, all of whom were advantaged by the additional characters relative to those fitness reports. You claim that the inconsistent number of characters in block 41 disadvantaged you on the FY 2024 Active-Duty Navy O-6 (Staff) Promotion Selection Board (PSB).

The Board concurred with the previous AO and Board decisions that your fitness reports and Letter-Supplement are valid as filed, in accordance with the applicable Navy Performance and Evaluation System Manual (EVALMAN). In this regard, the Board noted that the Navy announced the forthcoming availability of eNavFit for the active component to use as an alternative to NAVFIT98A for the completion of performance evaluations starting 15 February 2022. NAVFIT98A was scheduled to sunset in late Fiscal Year 2022, and until then, NPC

continued to accept reports generated via NAVFIT98A. The Board also noted that your fitness report was submitted prior to the sun setting of NAVFIT98A, thus it was prepared in an approved format that was familiar to the RS. The Board further noted that the revised fitness report included the statement regarding the RS's recommendation for promotion and eliminated spaces to accommodate all of the characters.

Regarding your reliance upon NR20230000528, the Board determined that you were not similarly situated as the Petitioner in this case. The Board in that case opined that the change to language in block 41 had the potential to create a negative perception by a PSB. In your case, the RS added a statement, and the Board determined that the addition of the statement indicating the RS's recommendation for promotion had no potential to create a negative perception. The Board also determined that your supplemental material and Letter-Supplement were properly filed to your record, and found no basis to remove and replace the original report. The Board further determined that your evidence is insufficient to find that you were disadvantaged by the additional characters permitted for fitness reports submitted via eNavFit. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

12/17/2023

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