



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

[REDACTED]
Docket No: 0463-17

AUG 22 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code, Section 1552.

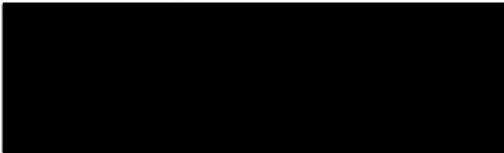
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 31 May 2017. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative 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, your naval record, and applicable statutes, regulations, and policies.

On 21 January 2016, you were issued an Administrative Remarks (Page 11) counseling which stated in part that you were being counseled for demonstrating shortfalls in the military attributes of judgment, self-discipline, dependability, and reliability. Specifically, in May 2015, you developed an intimate personal relationship with a woman, not your wife, who was married to another servicemember. You submitted a rebuttal statement.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully weighed all potentially mitigating factors, concerning your desire to have the Page 11 counseling dated 21 January 2016 and the rebuttal statement dated 26 January 2016 removed from your official military performance file (OMPF), and your contention that the verbiage contained in the Page 11 counseling creates a bias of unfair and incorrect information. Also, the Page 11 counseling negatively affected your opportunity for promotion. The Board concluded these factors were not sufficient to warrant the removal of the Page 11 counseling and rebuttal statement from your OMPF. The Board determined that the Page 11 counseling was procedurally and administratively correct as written. The Board also considered and denied your request to remove of your Failure of Selection (FOS) and grant you a Special Selection Board (SSB). Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,


Executive Director