



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

[REDACTED]
Docket No: 0705-17

APR 24 2017

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

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN, [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Case summary
(3) Commanding Officer ltr dtd 30 Nov 16
(4) Executive Officer ltr dtd 2 Dec 16

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer of the Navy, filed enclosure (1) with this Board requesting that her naval record be corrected by removing her fitness report covering the period from 20 July 2013 to 31 January 2014 dated 13 February 2014 and the supplemental fitness report dated 5 February 2015 from her Official Military Personnel File (OMPF). Enclosures (2) through (4) apply.

2. Regarding your request for a personal appearance, Board regulations state that personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

3. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 March 2017, 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, naval records, and applicable statutes, regulations, and policies.

4. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

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

b. Enclosure (1) was filed in a timely manner.

c. Petitioner's record contains a fitness report covering the period from 20 July 2013 to 31 January 2014 and a supplemental fitness report dated 5 February 2015, in which she states, in part, are fundamentally unfair due to a revised favorable fitness report covering the same period.

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN, [REDACTED]

d. Enclosure (3) states, in part, that the Commanding Officer who was designated as the Reporting Senior on both fitness reports to include the supplemental, intended to replace the initial fitness report with the revised fitness report which accurately captured the Petitioner's performance during the reporting period.

e. Enclosure (4), states, in part, that the Executive Officer certifies that the Commanding Officer fully intended to replace the initial fitness report with the revised fitness report.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosure (3) and (4), that Petitioner's requests warrants favorable action. In this regard, the Board concludes that the fitness report covering the period from 20 July 2013 to 31 January 2014 dated 13 February 2014 and the supplemental fitness report dated 5 February 2015 should be removed from her OMPF.

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

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing therefrom the supplemental fitness report dated 5 February 2015 and the following officer fitness report:

<u>Date of Report</u>	<u>Reporting Senior</u>	<u>Period of Report</u>
13FEB14	[REDACTED]	From: 20JUL13 to 31JAN14

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

5. 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.

[REDACTED]
Recorder

6. 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 Regulation, 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.

[REDACTED]
Executive Director