



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

[REDACTED]
Docket No: 5721-17

APR 02 2018

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

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

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1610 PERS-32 ltr of 30 Aug 17

1. Pursuant to the provisions of reference (a), Petitioner, an United States Naval Officer, filed enclosure (1) with this Board requesting removal of a duplicate fitness report for the reporting period 21 May 2016 to 4 March 2017 from his official military personnel file (OMPF).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 February 2018 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. In addition, the Board considered the advisory opinion (AO) provided by the Navy Personnel Command (PERS-32).

3. 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. Petitioner, who was scheduled to transfer from his command on 4 March 2017, received a Detachment of Individual fitness report with [REDACTED] as the Reporting Senior (RS). Although the scheduled detachment was 4 March 2017, the fitness report was signed and dated by Petitioner and the RS in January 2017. The command administrative office incorrectly mailed the fitness report for inclusion in Petitioner's OMPF prior to Petitioner's transfer.

c. [REDACTED] was relieved of command on 1 March 2017. [REDACTED] was designated as the RS for the Detachment of Reporting Senior officer fitness reports. A fitness report with [REDACTED] listed as the RS which covered 21 May 2016 to 1 March 2017, the date of the RS's detachment, was signed and submitted for inclusion in Petitioner's OMPF, resulting in

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Petitioner's OMPF having two fitness reports with two different RSs, covering the same period. An extension letter was not submitted by [REDACTED] extending the fitness report from 1 March 2017 to 4 March 2017.

d. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented, in part, that the fitness report provided by [REDACTED] was invalid and should be removed. Additionally, the AO states the fitness report should have been extended to cover Petitioner's detachment date of 4 March 2017.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

The Board concurred with the PERS-32 AO provided at enclosure (2). The Board concluded the contested fitness report is an invalid duplicate and shall be removed. Additionally, the Board concluded that Petitioner's remaining fitness report shall be extended to cover Petitioner's detachment date of 4 March 2017.

RECOMMENDATION

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action.

Petitioner's naval record be corrected by removing the fitness report, which lists [REDACTED] as the RS, for the reporting period 21 May 2016 to 1 March 2017.

PERS-32 shall expedite the drafting of a letter of extension to remove the gap between Petitioner's end date of 1 March 2017 and his detachment date of 4 March 2017.

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.

[REDACTED]
Recorder

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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 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