



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

█  
Docket No. 10617-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █, USNR,  
█

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures  
(2) Fitness Report & Counseling Record (W2-O6) for reporting period 16 September 2020 to 31 October 2020  
(3) Fitness Report & Counseling Record (W2-O6) for reporting period 1 November 2020 to 31 October 2021  
(4) Fitness Report & Counseling Record (W2-O6) for reporting period 7 June 2020 to 31 October 2020  
(5) Fitness Report & Counseling Record (W2-O6) for reporting period 1 November 2020 to 31 October 2021  
(6) █ memo, subj: Evaluation of [Petitioner]  
(7) PERS-32 Advisory Opinion, 20 December 2023

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 removal of the two fitness reports at enclosures (2) and (3) submitted by █ as the Reporting Senior (RS).

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 4 January 2024, and pursuant to its regulations, determined 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 a periodic, concurrent fitness report for the reporting period 7 June 2020 to 31 October 2020. █ served as the RS due to Petitioner's role as the █ See enclosure (4).

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[REDACTED]

c. Petitioner was also issued a periodic, regular fitness report for the reporting period 16 September 2020 to 31 October 2020 with [REDACTED] [REDACTED] serving as the RS despite the report being issued while Petitioner was serving as the [REDACTED] [REDACTED]. See enclosure (2).

d. Petitioner was issued a periodic, regular fitness report by [REDACTED] [REDACTED] for the reporting period 1 November 2020 to 31 October 2021 due to Petitioner's role as [REDACTED] to the [REDACTED]. See enclosure (5).

e. Petitioner was also issued a periodic, regular fitness report for the reporting period 1 November 2020 to 31 October 2021 with [REDACTED] [REDACTED] serving as the RS despite the report being issued while Petitioner was serving as the [REDACTED] to [REDACTED] [REDACTED]. See enclosure (3).

f. Petitioner contends the fitness reports at enclosures (2) and (3) are duplicative and should be expunged from his record because the RS on these reports never supervised Petitioner and she contravened the direction provided by the true RS, [REDACTED] [REDACTED]. In support of his request for relief, Petitioner submitted enclosure (6), a memorandum from [REDACTED] [REDACTED] to Commander, Navy Personnel Command (PERS 32), stating the reports at enclosures (2) and (3) should be removed from Petitioner's record. The Major General informed PERS 32 that he had directed [REDACTED] [REDACTED] not to prepare reports but to allow himself to serve as the RS since Petitioner served as his Flag Aide and Executive Officer during those reporting periods. See enclosures (1) and (6).

g. By memorandum of 20 December 2023, PERS-32 issued an advisory opinion (AO) recommending removal of enclosures (2) and (3), the reports submitted by [REDACTED] [REDACTED], and inclusion of a continuity memorandum because the reports disadvantaged the Petitioner. Further, the AO noted the report at enclosure (5) was missing the block 18 "concurrent" marking and recommended correction of the report. See enclosure (7).

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error and injustice warranting relief. The Board, relying on the AO at enclosure (7), concluded enclosures (2) and (3) are in error and should be removed from Petitioner's record. Further, the Board concurred with the AO's recommendation the report at enclosure (5) be corrected to reflect it was a concurrent fitness report submitted by [REDACTED] [REDACTED].

## RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), the fitness report for the reporting period 16 September 2020 to 31 October 2020.

Petitioner's naval record be corrected by removing enclosure (3), the fitness report for the

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[REDACTED]

reporting period 1 November 2020 to 31 October 2021.

Petitioner's naval record be corrected by removing the mark in block 17 and marking block 18 "concurrent" for the fitness report at enclosure (5) for the reporting period 1 November 2020 to 31 October 2021.

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

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 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.

1/31/2024

