



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

██████████  
Docket No. 8937-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████, USN, XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) BUPERSINST 1610.10F

Encl: (1) DD Form 149 w/attachments  
(2) Fitness Report & Counseling Record for the reporting period 11 Jun 22 to 5 Jul 22  
(3) Fitness Report & Counseling Record for the reporting period 11 Jun 22 to 31 Jan 23  
(4) CO, ██████████ memo 1610 8692 of 1 Jun 23  
(5) NPC memo 1610 PERS-32 of 6 Sept 24

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 that his naval record be corrected by removing the Fitness Report & Counseling Record (Fitness Report) for the reporting period 11 June 2022 to 5 July 2022 from his official military personnel file (OMPF).

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 19 September 2024 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.

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 enclosure (2), a Detachment of Individual/Regular Not Observed Fitness Report for the reporting period 11 June 2022 to 5 July 2022 for continuity purposes.

c. Petitioner was issued enclosure (3), a Periodic/Regular Fitness Report for the reporting period 11 June 2022 to 31 January 2023 which also covered the period of non-availability at enclosure (2).

d. Petitioner contends that the contested fitness report should be removed for the fidelity and continuity of his Official Military Personnel File (OMPF) and that the report was submitted in error. In support of his request, Petitioner provided a letter from his commanding officer who

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN, XXX-XX-[REDACTED]

was also his reporting senior (RS) which states that the contested fitness report was submitted for purposes of continuity. However, due to the fitness report not populating in Petitioner's OMPF in a timely fashion, the subsequent fitness report at enclosure (3) included the dates for continuity and physical readiness, and she therefore recommended that it be removed. See enclosure (4).

e. An advisory opinion (AO), from Navy Personnel Command (PERS-32), was furnished for the Board's consideration recommending that Petitioner's fitness report be removed. In this regard, the AO noted the letter signed and submitted from the RS and noted upon further review that Petitioner has two overlapping fitness reports on file from the same command. Thus, the AO determined the fitness report ending 5 July 2022 is not required and should be removed. The AO further concluded that a memorandum is unnecessary because the report at enclosure (3) maintains continuity pursuant with reference (b).

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief.

The Board noted Petitioner furnished sufficient evidence that the fitness report was no longer valid and the graded fitness report ending 31 January 2023, at enclosure (3), maintains continuity. The Board also considered the letter signed and submitted by Petitioner's RS when considering his request. Thus, the Board substantially concurred with the AO that the contested fitness report is no longer required, and concluded that it shall be removed from Petitioner's OMPF.

## RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2).

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 titled 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 Regulations, 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.

9/30/2024

