



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 03187-01
17 August 2001

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

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

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

Encl: (1) DD Form 149 dtd 19 Apr 01 w/attachments
(2) PERS-311 memo dtd 9 Aug 01
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by removing the original fitness report for 1 February to 14 August 1998, a copy of which is at Tab A, and filing in its place the supplemental report for the same period dated 14 August 1998, a copy of which is with Petitioner's application at enclosure (1).

2. The Board, consisting of Messrs. Schultz and Zsalman and Ms. Moidel, reviewed Petitioner's allegations of error and injustice on 16 August 2001, 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.

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. In correspondence attached as enclosure (2), the Navy Personnel Command office having cognizance over fitness report matters has commented to the effect that Petitioner's request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing therefrom the following original fitness report:

Date of Report	Reporting Senior	Period From	of	Report To
98Sep23		98Feb01		98Aug14

b. That the supplemental fitness report dated 14 August 1998, to be forwarded by this Board, be filed in place of the original report for the same period to be removed pursuant to recommendation a above.

c. That 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.

d. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

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.


for W. DEAN PFEIFFER
Executive Director

1. Name (Last, First MI Suffix) A [REDACTED]		2. Grade/Rate LT		3. i 1110		4. SSN [REDACTED]	
5. ACT <input checked="" type="checkbox"/> TAR <input type="checkbox"/> INACT <input type="checkbox"/> AT/ADSW/ 265		6. UIC 63224		7. Ship/Station NROTC UNIV OF WIS		8. Promotion Status REGULAR	
9. Date Reported 95AUG14		10. Periodic <input type="checkbox"/>		11. of Individual <input checked="" type="checkbox"/>		12. Reporting Senior <input type="checkbox"/>	
13. Special <input type="checkbox"/>		14. From: 98FEB01		15. To: 98AUG14		16. Not Observed Report <input type="checkbox"/>	
17. Regular <input checked="" type="checkbox"/>		18. Concurrent <input type="checkbox"/>		19. Ops Cdr <input type="checkbox"/>		20. Physical Readiness P/WS	
21. Billet Subcategory (if any) INSTRUCTOR		22. Reporting Senior (Last, FI MI) [REDACTED]		23. Grade CAPT		24. Desig 1320	
25. Title CO		26. UIC 63224		27. SSN [REDACTED]			

28. Command employment and command achievements.
Isolated command under CNET providing mentorship, instruction and support to Midshipmen.

29. Primary/Collateral/Watchstanding duties. (Enter primary duty abbreviation in box.)
ASSTPNS Assistant Professor of Naval Science-7, PAO-7, Management Control/Command Evaluation Officer-7, Sailing Officer-7, Medical Officer-7, Surface Warfare Advisor-7, Rifle Team Coach-7, AISSO-7. Primary duties consist of instructing and advising all 2nd and 3rd class midshipmen in Navigation and Shipboard Operations.

For Mid-term Counseling Use. (When completing FITREP, enter 30 and 31 from counseling record, sign 32.)		30. Date Counseled NOT REQ		31. Counselor		32. Signature of Individual Counseled	
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PERFORMANCE TRAITS: 1.0 - Below standards/not progressing or UNSAT in any one standard; 2.0 - Does not yet meet all 3.0 standards; 3.0 - Meets all 3.0 standards; 4.0 - Exceeds most 3.0 standards; 5.0 - Meets overall criteria and most of the specific standards for 5.0. Standards are not all inclusive.

PERFORMANCE TRAITS	1.0* Below Standards	2.0 Pro- gressing	3.0 Meets Standards	4.0 Above Standards	5.0* Greatly Exceeds Standards
33. PROFESSIONAL EXPERTISE: Professional proficiency, and qualifications. NOB <input type="checkbox"/>	- Lacks basic professional knowledge to perform effectively. - Cannot apply basic skills. - Fails to develop professionally or achieve timely qualifications.		- Has thorough professional knowledge. - Competently performs both routine and new tasks. - Steadily improves skills, achieves timely qualifications.		- Recognized expert, sought after to solve difficult problems. - Exceptionally skilled, develops and executes innovative ideas. - Achieves early/highly advanced qualifications.
34. EQUAL OPPORTUNITY: Fairness, respect for human worth. NOB <input type="checkbox"/>	- Displays personal bias or engages in harassment. - Tolerates bias, unfairness or harassment in subordinates. - Lacks respect for EO objectives. - Interferes with order and discipline by disregarding rights of others.		- Always treats others with fairness and respect. - Does not condone bias or harassment in or outside of workplace. - Supports Navy EO objectives. - Contributes to unit cohesiveness and morale.		- Admired for fairness and human respect. - Ensures a climate of fairness and respect for human worth. - Pro-active EO leader, achieves concrete EO objectives. - Leader and model contributor to unit cohesiveness and morale.
35. MILITARY BEARING/ CHARACTER: Appearance, conduct, Physical fitness, adherence to Navy Core Values. NOB <input type="checkbox"/>	- Consistently unsat appearance. - Unsatisfactory demeanor/conduct. - Unable to meet one or more physical readiness standards. - Fails to live up to one or more Navy Core Values: HONOR, COURAGE, COMMITMENT.		- Excellent personal appearance. - Excellent demeanor or conduct. - Complies with physical readiness program, within all standards. - Always lives up to Navy Core Values: HONOR, COURAGE, COMMITMENT.		- Exemplary personal appearance. - Exemplary representative of Navy. - A leader in physical readiness. - Exemplifies Navy Core Values: HONOR, COURAGE, COMMITMENT.
36. TEAMWORK: Contributions to team building and team results. NOB <input type="checkbox"/>	- Creates conflict, unwilling to work with others, puts self above team. - Fails to understand team goals or teamwork techniques. - Does not take directions well.		- Reinforces others' efforts, meets personal commitments to team. - Understands team goals, employs good teamwork techniques. - Accepts and offers team direction.		- Team builder, inspires cooperation and progress. - Talented mentor, focuses goals and techniques for team. - The best at accepting and offering team direction.
37. MISSION ACCOMPLISHMENT AND INITIATIVE: Taking initiative, planning, Prioritizing, achieving mission. NOB <input type="checkbox"/>	- Lacks initiative. - Unable to plan or prioritize. - Does not maintain readiness. - Fails to get the job done.		- Takes initiative to meet goals. - Plans/prioritizes effectively. - Maintains high state of readiness. - Always gets the job done.		- Develops innovative ways to accomplish mission. - Plans/prioritizes with exceptional skill and foresight. - Maintains superior readiness, even with limited resources. - Gets jobs done earlier and far better than expected.



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

3187-01

1610
PERS-311
9 August 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: PERS/BCNR Coordinator (PERS-00ZCB)

Subj: [REDACTED]

Ref: (a) BUPERSINST 1610.10 EVAL Manual

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member request the removal of his fitness report for the period 1 February 1998 to 14 August 1998 and replace it with a supplemental report for the same period.
2. Based on our review of the material provided, we find the following:
 - a. A review of the member's headquarters record revealed the report in question to be on file. It is not signed by the member; however, block-46 is annotated with "Certified Copy Provided".
 - b. The report in question is a Detachment of Individual/Regular report. The member alleges the report was incorrectly submitted through administrative error.
 - c. Upon further review of the member's headquarters record it revealed the fitness report for the period 22 August 1997 to 31 January 1998 to be identical to the report in question except for the period of the report, blocks-14 and 15 and block-42 his promotion recommendation.
 - d. The reporting senior submitted a supplemental fitness report dated 14 August 1998 with the required cover letter dated 30 March 2001. The reporting senior stated the reason for submitting the supplemental report was the original report was submitted through administrative error. The member's performance trait marks and his promotion recommendation are the same on both reports. The member signed the supplemental report acknowledging the contents of the report and his right to submit a statement. The member did not desire to submit a statement.
 - e. Although the supplemental report was submitted beyond the two-year time limit, it is apparent an administrative error occurred in the preparation and submission of the original report.
 - f. The member proves the report to be unjust or in error.

3. We recommend removal of the fitness report in the member's record and replace it with a copy provided with the member's petition.



Performance
Evaluation Branch