



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:mh
Docket No: 439-99
25 May 1999

[REDACTED] USN

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 NPC-815 of 15 April 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



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

1160
NPC-815
15 Apr 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: NPC-00ZCB

Subj: BCNR PETITION ICO MM2 [REDACTED], USN, [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 07 Jan 99
(b) NAVADMIN 148/98
(c) NAVADMIN 253/98

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner reenlisted on 15 Oct 1998 for four years and received the maximum zone "B" SRB entitlement of \$20,000.00 for NEC 5326 offered in reference (b). Petitioner's EAOS at the time was 21 May 1999.

- Reference (c), released 20 Nov 1998 with an effective date of 01 Dec 1998 offered the maximum zone "B" SRB entitlement of \$30,000.00 for NEC 5326.

- Petitioner requests that his SRB computation to be recomputed for NEC 5326 at \$30,000.00 for the zone "B" SRB reenlistment of 15 Oct 1998.

- Reference (c) was released over 30 days after his 15 Oct 1998 reenlistment. Therefore the petitioner could not have been counseled concerning the higher ceiling of \$30,000 in reference (c) prior to the reenlistment. Petitioner was not improperly counseled concerning SRB obligation prior to the reenlistment.

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

[REDACTED]

Head,
Reenlistment Incentives Branch