



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

1430
Ser 852/205
14 June 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS

Via: Assistant for BCNR Matter (PERS-00XCB)


Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF
[REDACTED] (Retired)

Ref: (a) NAVPERS LTR 1400 SER 262 DTD 25 FEB 1997
(b) BUPERSINST 1430.16D

Encl: (1) Docket #00721-99

1. As stated in reference (a), Petty Officer [REDACTED] has previously requested assistance for this same situation. At that time Petty Officer [REDACTED] was advised issuance of an identification card for the next higher paygrade can not be approved, per reference (b). Identification cards are issued to service members reflecting actual attained paygrades. To approve a request for advancement on the basis of non-participation in an advancement examination is not in the best interest of the Navy or the individual. A recommendation for advancement in rate represents the commanding officer's judgement as to whether an enlisted member is capable of performing the duties and assuming the responsibilities of the next higher paygrade. Withdrawal of an advancement recommendation is the prerogative of the commanding officer. Without a recommendation for advancement a Sailor cannot compete for advancement even if all other requirements are met.

2. Enclosure (1) is returned recommending disapproval.

for 
E. F. ZARDEKAS-ASHBY
By direction



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

LCC:tj
Docket No: 721-99
13 July 1999

[REDACTED]

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 13 July 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 1430 Ser 852/205 of 14 June 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