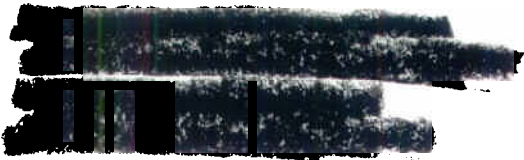




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:tj
Docket No: 1678-99
7 July 1999



Dear CHIEF PETTY OFFICER [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 7 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 1160 PERS-815 of 10 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



DEPARTMENT OF THE NAVY

BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

IN REPLY REFER TO

1160
PERS-815
10 Jun 99

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

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

Ref: (a) SNM's DD Form 149 dtd 01 Mar 99
(b) NAVOP 045/84
(c) NAVOP 096/86

Encl: (1) BCNR File

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

- Petitioner enlisted in the U. S. Naval Reserves for six years on 03 Sep 1982.

- Petitioner enlisted active duty Navy on 18 Jan 1983 for four years and concurrently signed a 24 month extension for the 6yo program.

- Petitioner reenlisted on 18 Oct 1984 for 6 years to continue active service. Petitioner's EAOS at the time was 17 Jan 1987 with SEAOS of 17 Jan 1989.

- Reference (b) carried a zone "A" SRB entitlement for the FTB rate with an award level of 1.5 at the time petitioner reenlisted.

- Petitioner requests to receive the zone "A" SRB entitlement offered in reference (b) for the reenlistment of 18 Oct 1984.

- Per reference (b), personnel may reenlist up to 60 days prior to EAOS for SRB entitlement. However, petitioner reenlisted approximately 26 months prior to his EAOS of 17 Jan 1987.

- Petitioner should have been advised of the early reenlistment criteria of reference (b) prior to his reenlistment of 18 Oct 1984. Petitioner could have been advised to wait until he was within 60 days of his EAOS to reenlist and receive a zone "A" SRB. However, reference (c) released on 04 Sep 1986 did not carry a zone "A" SRB for the FTB rate at petitioner's original EAOS of 17 Jan 1984.

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

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



Head,
Reenlistment Incentives Branch