



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

MEH:ddj
Docket No: 641-01
30 May 2001

[REDACTED]

[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 30 May 2001. 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 1 May 2001, 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
PERS-815
01 May 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION IC0 [REDACTED] INST [REDACTED] 00-0000

Ref: (a) SNM's DD Form 149 dtd 24 Jan 01
(b) NAVADMIN 132/99
(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

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

a. The petitioner signed a NAVPERS 1070/621 extension on 23 February 2000 for 36 months to have sufficient obliserve for BUPERS orders 3139. The petitioner's EAOS at the time was 24 May 2000.

b. Reference (b) did not list AE(0000) as an eligible rating for SRB entitlement at the time the petitioner signed the 36 month extension.

c. The petitioner's 36 month extension went operative on 25 May 2000. Reference (c), listed a zone "A" SRB entitlement for the AE(0000) rate at the time the petitioner extension went operative.

d. The petitioner requests to be paid SRB as a qualifying 36 month extension effective the operative date of 25 May 2000.

e. Per reference (d), service members signing an extension to qualify for SRB must be eligible upon the date of signing the extension agreement. Therefore, the petitioner is ineligible for the SRB entitlement.

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

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]

PNC (AW) USN
Head,
Reenlistment Incentives Branch