

DEPARTMENT OF THE NAVY

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

MEH:ddj

Docket No: 844-01 14 November 2001





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 14 November 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 NPC memorandum 1160 Pers 811 of 24 October 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

MAYY PERSONNEL COMMAND 5720 INTEGRITY DRIVE MILLINGTON TN 38055-0000

1160 PERS-811 24 Oct 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-OOZCB

Subj: BCNR PETITION ICO

Ref:

(a) SNM'S DD Form 149 dtd 25 Jan 01

(b) PERS-815 MEMORANDUM for BCNR dtd 17 April 2001

(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

- 1. In response to reference (a), recommend disapproval of the petitioner's request.
- a. The petitioner NAVET enlisted on 01 July 1988 for four year, after 10 months and six day of discharge from active Navy service.
- b. The petitioner reenlisted on 29 May 1992 for four years to continue active service. The petitioner's EAOS at the time of reenlistment was 31 August 1992.
- c. The petitioner received an approval message by PERS 292(815) on 17 September 1993 to receive a zone "A" SRB entitlement for a four year reenlistment to occur on 09 September 1993 for the OS rating. (The petitioner's 3060 line in the approval message reflects the OS rate: A03048PYOS NO)
- d. The petitioner requests the zone "A" payment for the SRB approval of 17 September 1993.
- e. The petitioner's SRB approval message of 17 September 1993 reflects an ADSD of 19 September 1989, however the petitioner has verified in her response letter to reference (b) that her ADSD is 02 September 1983.
- f. The petitioner is not eligible for the zone "A" SRB entitlement approved on 17 September 1993. The petitioner was not within the zone "A" window of eligibility at the time of the date of approval and upon the date of the approved reenlistment. Per reference (c), the zone "A" reenlistment window of eligibility is from 21 months of continuos service to six years. Additionally, the petitioner did not reenlist on 09 September 1993.
- 2. In view of the above, recommend the petitioner's record remain as is.

Subj: BCNR PETITION ICO

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.

NC (AW) USN Head, Reenlistment Incentives Branch