



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

MEH:ddj
Docket No: 1302-01
12 June 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 12 June 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 9 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
09 May 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED] USN 150 15 8716

Ref: (a) SNM's DD Form 149 dtd 14 Feb 01
(b) NAVADMIN 132/99
(c) NAVADMIN 271/99

Encl: (1) BCNR File

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

a. The petitioner received approval for conversion to the MA rating via MA "A" school training by PERS-815 on 30 June 1999.

b. The petitioner reenlisted on 02 July 1999 for four years to have sufficient obliserve for BUPERS orders to the MA "A" school. Reference (b) listed a zone "A" SRB entitlement for the MA(0000) rate at the time petitioner reenlisted, but did not list zones "B" and "C" as available for the SRB entitlement.

c. The petitioner completed MA "A" school in January 2000. Reference (c), released on 30 September 1999 added zones "B" and "C" to the award level list for SRB entitlements.

d. The petitioner requests to cancel the reenlistment date of 02 July 1999 and effect a reenlistment upon the completion date of MA "A" school training and receive the zone "C" SRB entitlement in reference (c).

e. Navy Personnel Command/OPNAV cannot provide information pertaining to subsequent SRB NAVADMIN's until after the NAVADMIN has been released. Therefore the petitioner could not have been counseled concerning reference (c) prior to the reenlistment. The petitioner's hindsight is not sufficient grounds to expunge the 02 July 1999 reenlistment as no error or injustice was committed.

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

Subj: BCNR PETITION ICO [REDACTED]

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