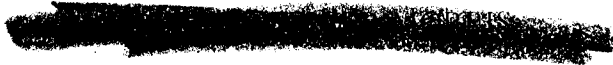




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 5176-01
30 October 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 30 October 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 23 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****NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**1160
PERS-811
23 Oct 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 15 Jun 01
(b) MILPERSMAN 1160-100
(c) NAVADMIN 176/00

Encl: (1) BCNR File

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

a. PERS 815 approved the petitioner on 14 August 2000 to reenlist via the benefits of the STAR program non-specific "C" school training for Course of Instruction Number (CIN) A-113-0187 NEC 1320.

b. The petitioner reenlisted for six years on 28 September 2000 for the STAR program and received a zone "A" SRB entitlement for the FT(0000) rate.

c. Per reference (b), Automatic advancement eligibility is based on the Career Schools List in effect on the date of reenlistment.

d. Reference (c) released on 12 July 2000, listed the CIN A-113-0187 on the CSL at the time the petitioner reenlisted. However, the petitioner was not advanced to Petty Officer Second Class because he did not hold the NEC 1320 upon the date of reenlistment.

e. The petitioner submitted a request to have his current NEC of 1327 changed to reflect 1320 however, the petitioner's request came back denied.

f. Pers-815 cannot recommend approval for advancement to Petty Officer Second Class if the member do not hold the proper NEC that's listed on the CSL.

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

Subj: BCNR PETITION ICO FT3 [REDACTED], USN, [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]

[REDACTED], JR.
PNC (AW) USN
Head,
Reenlistment Incentives Branch