



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

MEH:ddj  
Docket No: 5490-01  
10 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 10 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 BUPERS memorandum 1160 PERS 811 of 17 September 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  
17 Sep 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICOW 

Ref: (a) SNM's DD Form 149 dtd 03 Jul 01  
(b) MILPERSMAN 1160-100  
(c) MILPERSMAN 1510-020

Encl: (1) BCNR File

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

a. The petitioner reenlisted on 16 January 1997 for six years for benefits of the STAR program and received a zone "A" SRB entitlement for the ETSS(0000) rate. The petitioner's STAR authorization by PERS-255(815) was based on a non-specific "C" school training.

b. The petitioner requests to be advanced retroactive to 16 October 1995 via the provisions of the STAR program or assignment to NEC 9526 MICRO MINIATURE ELECTRONICS REPAIR (A-100-0073).

c. Per reference (b), automatic advancement is authorized if the "C" school or "C" school package the service member completed was listed on the Career Schools List (CSL) in effect on the date of reenlistment.

d. PERS-815 cannot determine the basis for the petitioner's request to backdate his STAR reenlistment to 16 October 1995. Additionally, it is not the responsibility of PERS-815 to assign "C" schools that will allow the service member the opportunity for automatic advancement.

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

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.



JNC(AW) USN  
Head,  
Reenlistment Incentives Branch