

## **DEPARTMENT OF THE NAVY**

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

LCC:ddj

Docket No: 8280-00

7 August 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 7 August 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 6110 PERS 651 of 11 July 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

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## **DEPARTMENT OF THE NAVY**

## NAVY PERSONNEL COMMAND 5720 INTEGRITY DRIVE MILLINGTON TN 38055-0000

6110 PERS-651 11 Jul 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: Assistant for BCNR Matters (NPC-00XCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO

MARCH STATE OF CO. GR. S.T.

Ref: (a) BCNR file #08280-01

(b) OPNAVINST 6110.1B

1. The following is provided in response to reference (a):

- a. Failure to show progress in meeting Physical Readiness Program standards (reference b), when there are no medically limiting circumstances, can be noted in Enlisted Performance Evaluation comments and shall result in consideration for administrative procedures for processing for separation by reason of obesity.
- b. Retention of those who fail to show progress in meeting minimum Navy standards will be based on a recommendation by the Commanding Officer.
- 2. Regarding Petty Officer request. No changes are recommended.

3. My point of contact of contact is LCDR (PERS-651F) at (DSN) 882-4242 or (C) 901-874-4242.

Deputy Director Morale, Welfare and Recreation Division