



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

MEH:ddj
Docket No: 2469-01
5 February 2002



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 5 February 2002. 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 815 of 12 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

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1160
PERS-815
12 Jul 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 Mar 01
(b) NAVADMIN 132/99
(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

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

a. The petitioner's ADSD is 16 December 1986. The petitioner received BUPERS orders 2340 on 21 August 2000 to attend NTECHTR GOODFELLOW AFB (under instruction) with several other intermediate activities under instruction to complete training on 17 November 2000 for NEC 9204. The petitioner's orders also required the member to obliserve for three years. Reference (b) carried a zone "C" SRB entitlement for the CTI(9204) rate/NEC at the time the petitioner received the orders.

b. The petitioner later received orders modifications to the BUPERS orders 2340 on 06 September 2000. The orders modification changed the petitioner's completion date of training from 17 November 2000 to 12 January 2001. Additionally, the petitioner's obliserve requirements were changed from three years to four years.

c. The petitioner passed through the zone "C" window of eligibility on 15 December 2000 while in a student status.

d. The petitioner requests clarifications of his zone "C" SRB eligibility and obliserve requirements for BUPERS orders 2340.

e. Per reference (c), section (M) note 11, service members must successfully complete formal training and be designated in the new skill at reenlistment to be eligible for SRB at the new skill award level.

f. The petitioner passed through the zone "C" SRB eligible window approximately one month prior to obtaining the NEC 9204. Therefore, the petitioner is not eligible to receive the zone "C" entitlement. Per reference (c), the zone "C" window of eligibility is from 10 years active service to 14 years. Additionally, the petitioner was required to comply with BUPERS orders modification of 06 September 2000.

Subj: BCNR PETITION ICO [REDACTED]

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.

[REDACTED]
PNC (AW)

Head,

Reenlistment Incentives Branch