



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

MEH:ddj
Docket No: 7191-02
5 November 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 November 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 Ser 811 of 16 October 2002, 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. You were not authorized "C" school training via the STAR program. Accordingly, your application has been denied. However, you are entitled to the remaining installments of SRB, reduced by the number of days spent in the BOOST program. You should contact your disbursing officer and submit an arrears in pay to the Defense Finance and Accounting Service (DFAS) to recover these payments. 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.

Docket No. 7191-02

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
Ser 811/
16 Oct 2002

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICQ [REDACTED]
Ref: (a) SNM's DD Form 149 dtd 22 Jul 02
(b) NAVADMIN 308/95
(c) MILPERSMAN 1160-100
(d) OPNAVINST 1160.6A

Encl: (1) BCNR File

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

a. The petitioner reenlisted for six years on 05 April 1996 via the benefits of the STAR program. The petitioner received a zone "A" SRB entitlement for the Nuclear NEC 3354 at the time of reenlistment at the award level of 4.5 offered in reference (b). Additionally, in accordance with reference (c), the petitioner was advanced to Petty Officer Second Class.

b. The petitioner signed a NAVPERS 1070/621 extension agreement for four months on 23 June 1998 to accept BUPERS order 1218 to the BOOST Program. The petitioner reported to Newport, RI discharged from active duty and enlisted in the NROTC Program. The petitioner's remaining SRB installments were withheld because of the enrollment into the BOOST Program.

c. The petitioner were issued orders on 20 February 2001 from the Enlisted Personnel Management Management Center New Orleans, LA to return to active duty for disenrollment from the NROTC Program. The petitioner reenlisted on 10 July 2001 for six years and received a zone "B" SRB entitlement for NEC 3354.

d. The petitioner request to receive all SRB installments and guaranteed "C" School for the previous reenlistment prior to entering the BOOST Program.

e. Per reference (d), members who reenlisted/executed an extension for SRB prior to applying for an officer procurement program requiring formal academic training, will have remaining installments suspended as of their class start date. Members who are dropped from the program and return to enlisted status in the same bonus skill, will

Subj: BCNR PETITION ICO [REDACTED]

receive the remaining installments but at a rate reduced by the number of days spent in the program.

f. The petitioner was approved for the STAR program reenlistment only for advancement purposes. The petitioner held the NEC 3354 on the date of reenlistment that was listed on the Career Schools List (CSL). Assignment to a "C" school was not given. Per reference (c), at time of STAR reenlistment, a Petty Officer Third Class who holds a valid Nuclear Power NEC may be advanced to Second Class.

e. The petitioner is eligible to receive the remaining installments of the zone "A" SRB entitlement. However, the member is not authorized "C" school training via the STAR program.

2. In view of the above, recommend the member receive the remaining reduced installments of the zone "A" SRB entitlement. The entitlement should be based from the date of discharge from the NROTC Program to his original EAOS of 04 April 2002.

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]

MMC(SS) USN
Reenlistment Incentives Branch