



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

TRG  
Docket No: 9620-07  
5 September 2008

[REDACTED]

Dear [REDACTED]

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 3 September 2008. 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 an advisory opinion furnished by the Navy Personnel Command, a copy of which is enclosed.

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

1000  
PERS-312D1/06  
6 JUN 2008

From: Commander, Navy Personnel Command  
To: Executive Director, Board for Correction of Naval Records  
Via: Assistant, Board for Correction of Naval Records  
(Pers-31C)

Subj: ADVISORY OPINION ICO MC1 [REDACTED] USN [REDACTED]

Ref: (a) BCNR Docket Number 09620-07

1. In reference (a), the member addressed two issues that he would like to have corrected in his official military personnel file (OMPF). The first issue was to show his latest Armed Forces Vocational Aptitude Battery Test (ASVAB) reflected in his OMPF. The second issue was to have an unauthorized absence (UA) entry for the period of 24 - 28 February 1994, removed from his OMPF.
2. In regards to the first issue, according to the member's OMPF the ASVAB test was administered to him on 24 July 1991 and on 15 June 1995. The ASVAB printout that the member provided with reference (a) shows a date of 7 April 1992. However, this printout does not show any personal identification. Regardless, the latest ASVAB date of 15 June 1995 is on file in his OMPF.
3. In regards to the second issue, the member failed to prove that he was not UA in 1994. The evaluation report he provided with reference (a) is an evaluation "work sheet" and not the official copy. He stated that he was attending a class onboard the ship, however; he provided no documentation.
4. It is our opinion that the member's latest ASVAB scores are on file in his OMPF. It is also our opinion that the request to remove the UA document be denied.

[REDACTED]

By direction