



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

*gn*

HD:hd  
Docket No. 10765-07  
29 July 2008

[REDACTED]

[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 24 July 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 the advisory opinion furnished by the Office of the Chief of Naval Operations dated 15 February 2007 (sic) with enclosure, 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

5420  
OPNAV N135  
15 FEB 07

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL  
RECORDS (PERS-31C)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN THE CASE OF  
[REDACTED]

Ref: (a) 10 USC Section 1552  
(b) OPNAVINST 6110.1H

Encl: (1) PRIMS Record (NAVPERSCOM Official data)

1. Sailor petitioned the Board for Correction of Naval Records (BCNR) in accordance with reference (a), to correct errors and/or remove injustices in her Physical Readiness Information Management System (PRIMS) record.

2. Sailor requested that her Spring 2007 Physical Fitness Assessment (PFA) be changed from a failure to medical waiver for pregnancy. Reference (b) states in enclosure (3), paragraph 3., i., "After confirmation of pregnancy by a health care provider, pregnant Sailors shall not be required to meet PRT and Body Composition Assessment (BCA) standards from the time the pregnancy is confirmed until 6 months following delivery." Enclosure (1) indicates that the Sailor participated in the BCA portion of the PFA on 23 July 2007 and the Physical Readiness Test (PRT) portion of the PFA on 24 July 2007, while notification of pregnancy was dated 6 August 2007.

3. Recommendation. Based on the Physical Readiness Program policy and evidence contained in this file, there is not substantiating evidence that the Sailor's PRIMS record should be changed.

4. This is an advisory memorandum for the use of the Board for Correction of Naval Records only. Please contact [REDACTED]  
[REDACTED]  
information.

  
H. POUNCEY