



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

MEH  
Docket No. 2225-09  
6 Jul 09

[REDACTED]

Dear [REDACTED]

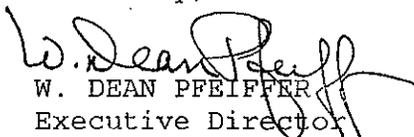
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 July 2009. 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 CNRC memo 1133 Ser N5312/09051 of 28 May 09, 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 also 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 RECRUITING COMMAND  
5722 INTEGRITY DR.  
MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:

1133  
Ser N5312/09051  
28 May 09

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: ADVISORY OPINION ICO [REDACTED]

1. Petitioner has applied to the Board for Correction of Naval Records (BCNR) seeking to have member's Navy record changed to include the Navy College Fund (NCF). This memorandum provides a recommendation for the Board regarding the petitioner's application.
2. Following review of best available documentation, it is our opinion that the records in this case do not sufficiently corroborate the petitioner's claim. The Annex to DD Form 4 shows no enlistment guarantee for NCF. Petitioner provides DD Form 2366 (Montgomery GI Bill Act of 1984) where the petitioner lists NCF as a service unique education assistance option. However, DD Form 2366 is not the official form for NCF and is signed and dated (19 September 1997) after the petitioner enlisted (9 July 1997). NCF is an enlistment incentive and not an enlistment guarantee. Accordingly, we recommend that the Board deny the petitioner's request.
3. Point of contact is LT Brian Bungay, (901)874-9362, email, [brian.bungay@navy.mil](mailto:brian.bungay@navy.mil). Our mailing address is Navy Recruiting Command (N531), 5722 Integrity Drive (BLDG 784), Millington, TN 38054.

*L. B. Callis*  
L. B. CALLIS  
by direction

JUN 19 2009