



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

DJC
Docket No. 5600-09
22 September 2009

Dear [REDACTED]

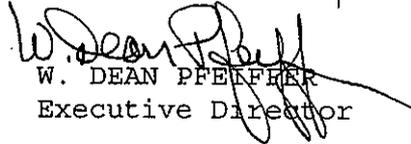
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 September 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 NPC Memo 1160 Ser 811/380 dtd 23 Jun 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 request for the Selective Reenlistment bonus has been denied. Furthermore, this Office did not pursue any further changes per Paragraph 4 of the attachment; however NPC further recommended instead that your 28 February 2009 reenlistment contract for 5 years be canceled (your 28 February 2009 reenlistment was not transmitted electronically and therefore it does not appear in the Enlisted Master File), and your previous EAOS of 28 February 2011 be reinstated. 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 PFEFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
Ser 811/621
22 Sep 09

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 22 May 09
(b) OPNAVINST 1160.8A
(c) NAVADMIN 006/09
(d) NAVADMIN 240/08
(e) Memorandum for Chairman, Board for Correction of Naval Records 1160 Ser 811/380 dtd 23 Jun 09

Encl: (1) BCNR File

1. Per references (a) through (e), recommend an alternate to the petitioner's request. This memorandum updates reference (e).
2. The petitioner is requesting SRB for his 5 year reenlistment contract, NAVPERS 1070/601 dated 28 Feb 2009.
3. The petitioner did not have PTS or HYT approval as required prior to his reenlistment. Additionally in accordance with references (b) and (c), SRB reenlistment requests must be submitted through the OPINS/FORMAN computer program 35-120 days prior to the requested reenlistment date. The petitioner's SRB PRECERT was submitted in OPINS 31 days after his reenlistment date.
4. In view of the above, recommend expunge the reenlistment contract which was not transmitted electronically and his 24 month agreement to extend enlistment remains operative as indicated by the Enlisted Master File (EMF).
5. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

C. E. AIMESTALLMAN
Division Director
Enlisted Career Progression