



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

Docket No. 7938-16
SEP 11 2017

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 U.S.C. § 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 June 2017. The names and votes of the members of the panel will be furnished upon request. 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. The advisory opinion provided in CNRC letter 1133 Ser N35 of 8 November 2017 was mailed to you on 3 January 2017 and resent again on 7 March 2017 for an opportunity to comment prior to being considered by the Board. A copy of this advisory opinion is again enclosed. After the 30-day period for comment expired without a response, the case was presented to the Board.

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. The Board found that your contract did not contain a promise for the Loan Repayment Program (LRP). Furthermore, the message (GENADMIN 301923Z Jun 15 from Commander Navy Recruiting Command) in effect at the time you entered the Delayed Entry Program (DEP) did not authorize LRP for any eligible ratings or programs. Nevertheless, you certified a second NAVCRUIT form 1133/52, Annex A dated July 21, 2015 with "Option (2) N/A" prior to entering active service, having been advised that the Navy was no longer giving LRP. Therefore, the Board found that the NAVCRUIT form 1133/52, Annex A dated July 21, 2015 with "Option (2) Loan Repayment Program (LRP) Up to \$65,000", you requested added to your record would be fraudulent. Additionally, the Board found that the current NAVCRUIT form 1133/52, Annex A dated July 21, 2015 with "Option (2) N/A" to be the correct "Annex A" in your record. Additionally, the Board concurred with the advisory opinion that the current

Annex A in your record is a part of your residual file at Recruit Training Command. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director

