



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

JLP:tj
Docket No: 3577-99
24 August 1999

[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 August 1999. 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 BUPERS Memorandum 5420 N130D1/147-99 of 11 August 1999, 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



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, DC 20350-2000

IN REPLY REFER TO
5420
N130D1/147-99
11 AUG 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Encl: (1) BCNR File #03577-99 with microfiche service record

1. The following provides comments and recommendations on Petty Officer [REDACTED] petition.

2. N130 recommends deny [REDACTED]

3. [REDACTED] requests payment of Special Duty Assignment Pay (SDAP) from 19 May 1997 to 01 May 1998 for serving in a Navy Classification Coded (NEC) 8426 billet, onboard USS JOHN C. STENNIS (CVN 74). However, only personnel serving in an NEC 8426 billet who are working independent of a physician, nurse practitioner, or physician's assistant are authorized SDAP. [REDACTED] duty assignment does not meet that eligibility criteria and therefore, he is not entitled to SDAP.

4. BCNR case file with microfiche service record is returned herewith as enclosure (1).

[REDACTED]
Assistant, Enlisted Bonus
Program Branch