



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 1349-00

30 August 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 30 August 2000. 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 Awards and Special Projects Branch in the Office of the Chief of Naval Operations dated 10 April 2000, a copy of which is enclosed. The Board also considered your rebuttal statement of 23 August 2000.

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
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

1650
N09B33/00516262
10 April 2000

From: Chief of Naval Operations (N09B33)
To: Chairman, Board for Corrections of Naval Records
Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN THE CASE OF
██
Ref: (a) BCNR AEG:jdh Docket #1349-00 of 30 March 2000

1. In response to reference (a), a complete review of this case was conducted by the Navy Awards Branch. Despite the additional information that was provided by the letter of August 13, 1198, the decision to upgrade the Navy and Marine Corps Achievement Medal is not approved.

2. Specifically, all information provided in this case was reviewed independently of the prior decision; the outcome of the review was that the Navy and Marine Corps Achievement Medal was the most appropriate award for the service and actions. I am sorry that this is not the decision that ██████████ desired. If I may be of further service, please do not hesitate to contact me.

B. A. Wilson
B. A. WILSON
By Direction