



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

JLP:ddj  
Docket No: 3186-01  
15 November 2001



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 14 November 2001. 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 CNP memorandum 7220 Ser N130C3/01U1321 of 23 October 2001, 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  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO  
7220  
Ser N130C3/01U1321  
23 Oct 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Via: Assistant for BCNR Matters, Pers-00XCB

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO  
~~CONFIDENTIAL~~

Ref: (a) SECNAVINST 7220.77D

Encl: (1) BCNR Case File #03186-01 w/Microfiche Service  
Record

1. Enclosure (1) indicates a request for sea duty credit during the petitioner's tour at Amphibious Squadron ONE while deployed onboard USS PELELIU (LHA 5) from 10 Nov 97 to 6 Jan 98.
2. In accordance with reference (a), members assigned to the predominance of ship-based staffs, ship-based aviation units, Fleet Marine Force units, and mobile units that temporarily serve in either category A or B vessels, will receive cumulative sea-duty credit only when assigned to and serving in a qualifying vessel. In other words, the petitioner qualifies for cumulative sea-duty credit only for the actual periods that Amphibious Squadron ONE was deployed onboard USS PELELIU (LHA 5).
3. A review of the petitioner's Master Military Pay Account (MMPA) revealed that his sea duty counter was credited with sea duty from 10 Nov 97 to 5 Jan 98. Therefore, N130 recommends disapproval of the petitioner's request for cumulative sea duty credit to his sea counter and this case warrant no further action.

~~CONFIDENTIAL~~  
Assistant Head, Pay and  
Allowances Section (N130C1)