



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

MEH:ddj
Docket No: 5930-01
30 October 2001

[REDACTED]

[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 30 October 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 NPC memorandum 1160 PERS 811 of 2 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
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-811
02 Oct 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD
Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 17 Jul 01
(b) NAVADMIN 132/99
(c) NAVADMIN 050/00

Encl: BCNR file

1. In response to reference (a), recommend disapproval of the petitioner's request.

a. The petitioner reenlisted on 15 February 2000 for three years to continue active service. The petitioner's EAOS at the time of reenlistment was 10 March 2000.

b. The petitioner requests to receive a zone "A" SRB entitlement for the four year reenlistment of 15 February 2000 based on the AMS(0000) rate.

c. Reference (b) released on 30 April 1999 did not list a zone "B" SRB entitlement for the AMS(0000) rate at the time the petitioner reenlisted. Reference (c), released on 10 March 2000, with an effective date of 01 April 2000 listed the AMS(0000) rate as available for a zone "B" SRB reenlistment. Reference (c) was not released until after the petitioner reenlisted. Therefore the petitioner is ineligible to receive the zone "B" SRB entitlement for the 15 February 2000.

2. In view of the above, recommend the petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

[REDACTED]
PNC(AW) USN
Head,
Reenlistment Incentives Branch