



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

SMC  
Docket No: 06066-00  
14 June 2001

ENS [REDACTED] USNR  
[REDACTED]  
[REDACTED]

Dear [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 14 June 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 the Navy Personnel Command dated 30 October 2000, 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. The Board was unable to find your consideration by the Fiscal Year (FY) 99 Limited Duty Officer Selection Board for intelligence was unfair. In this regard, they noted your record reflected enough service to make you eligible for consideration. Further, you state that at least two of the candidates selected by the FY 99 board for intelligence "did not have any extended active duty service other than annual training." Finally, you were free to communicate to the board any information you considered important; you state it was not until after your selection by the FY 00 board that you were erroneously advised you were ineligible to be considered by the FY 99 board. In view of the above, 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

6666-00



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5730  
PERS 91  
30 Oct 00

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR ADVISORY OPINIONS IN THE CASE OF  
IS1 [REDACTED], USNR [REDACTED]

Ref: (a) Your memo 5420 PERS-00ZCB of 17 Oct 00  
(b) Report of a Selection Board convened at the  
Bureau of Naval Personnel, Washington, DC  
23 February 1998

Encl: (1) BCNR File 06066-00

1. As requested in reference (a) enclosure (1) is returned with the recommendation that Petty Officer [REDACTED] petition be denied. Petty Officer [REDACTED] is requesting that his FY-00 commissioning be back dated to FY-99 because he was unjustly denied opportunity to compete for a commission in FY-99. Per reference (b) Petty Officer [REDACTED] record was placed before the FY-99 Limited Duty Officer Selection Board for Intelligence (6455), but he was not selected. He was selected for Intelligence (6455) in FY-00.

2. Additional questions may be directed to [REDACTED]  
[REDACTED] at DSN 882-4515 or commercial [REDACTED]

[REDACTED]

Director, Naval Reserve Personnel  
Administration Division

(S) AD