

## DEPARTMENT OF THE NAVY

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

MEH:ddj Docket No: 8169-00 20 March 2001



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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 20 March 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 BUPERS memorandum 1160 PERS 815 of 25 January 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 concurred with paragraph 1.f.(1) of 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-815 25 Jan 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-OOZCB

Subi: BCNR PETITION ICO

Ref: (a) SNM'S DD Form 149 dtd 15 Nov 00 (b) OPNAVINST 1160.6A

(c) NAVADMIN 050/00

Encl: (1) BCNR File

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

a. The petitioner reenlisted on 21 July 1997 for three years and received a zone "A" SRB entitlement for the HM(8483) rate/NEC.

b. The petitioner reenlisted on 17 May 2000 for Three years to receive a zone "A" SRB entitlement for the HM(8483) rate/NEC. The petitioner's EAOS at the time was 20 July 2000. Unfortunately, the petitioner received an erroneous SRB approval by PERS-815 on 01 May 2000.

c. Per reference (b), service members reenlisting for SRB may receive only one zone "A", one zone "B", and one zone "C" bonus during a career.

d. Reference (c) listed a zone "B" SRB entitlement for the HM(8483) rate/NEC with an award level of  $\theta.5$  at the time the petitioner reenlisted.

e. The petitioner's ADSD is 07 June 1994. The petitioner passed into the zone "B" window on 07 June 2000. Per reference (c), the zone "B" window is from six to 10 years of active service.

f. The petitioner requests to received the zone "A" SRB entitlement for the reenlistment of 17 May 2000.

(1) The petitioner is not eligible to receive the zone "A" SRB entitlement because he has received it once before. The petitioner is only eligible to receive a zone "B" SRB entitlement.

2. In view of the above, recommend expunging the petitioner's three year reenlistment of 17 May 2000. Recommend effecting a reenlistment on 20 July 2000 for three to six years. This change will entitle the petitioner to a zone "B" SRB with an award level of 0.5 for the HM(8483) rate/NEC.

Subj: BCNR PETITION ICO

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

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Geenlistment Incentives Branch