



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

JLP:ddj
Docket No: 2090-02
17 September 2002

[REDACTED] USMC
[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 17 September 2002. 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 NAVCRUITCOM memorandum 1133 Ser 334/6085 of 11 May 2002, 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 RECRUITING COMMAND
5722 INTEGRITY DR.
MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:
1133
Ser 334/6085

From: Commander, Navy Recruiting Command
To: Executive Director, Board for Correction of Naval Records

Subj: BCNR REQUEST ICO [REDACTED]

Ref: (a) COMNAVCRUITCOMINST 1130.8F

Encl: (1) BCNR Docket Nr. 02090-02

1. Recommend disapproval of enclosure (1). Per reference (a), ECM approval is required for OSVET's to enlist as E-5 and above, and they must enter into a rating where their skills or training are directly convertible to a Navy rating. If skills are determined not to be convertible, only OSVETS discharged in paygrade E-5 and above will be enlisted as E-3, with a guarantee of E-4 after successful completion of A school. If discharged as an E-4 as in this case, OSVETS will be enlisted one paygrade below that of which discharged, but not lower than paygrade E-3. The applicant was enlisted into a Navy rating that he did not have convertible skills or training. IAW current policy, he was only entitled to paygrade E-3 with E-4 upon completion of "A" school.

2. This is an advisory memorandum for use by the Board for Correction of Naval Records only. Enclosure (1) is returned.

