



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

LCC:ddj  
Docket No: 2248-02  
10 September 2002

[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 10 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 NPC memorandum 5420 Pers 911 of 26 April 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 PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5420  
Pers-911  
26 Apr 02

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

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

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF  
██

Ref: (a) CNETINST 1533.12F of 14 May 98  
(b) 42 COMPGEN 669; B-150780, June 7, 1963  
(c) 45 COMPGEN 363; B-158027, December 20, 1965  
(d) Title 10 U.S.C.

Encl: (1) BCNR memo 5420 PERS-00ZCB of 25 Apr 02

1. Enclosure (1) is forwarded with the following comments and recommendations concerning ██████████'s request to correct his Statement of Service for Naval Reserve Retirement by adding 126 days of active duty.

2. As contained in reference (a), the summer training periods held annually for NROTC midshipmen students are normally four to eight weeks in length for each of the three summers a scholarship student is in the NROTC program. References (b) and (c) authorized the summer training of an officer as a non-academy midshipman as creditable service under section 1405 of reference (d).

3. Review of ██████████'s official record shows that he accepted an appointment as a midshipman in the NROTC program on September 5, 1968, and was later commissioned as an Ensign in the U.S. Navy on May 20, 1972. As an NROTC midshipmen student, each summer training period required orders. These orders would have been endorsed upon both his arrival and departure and would be required when he filed this travel claim at the end of the cruise. Regrettably, ██████████'s official record contains no orders, or any other documentation to support and validate the dates he performed his summer training periods.

4. We therefore must recommend that ██████████'s petition be denied. We can find no evidence to validate any days of active duty for his summer training periods, which he reports were completed while enrolled as a student in the NROTC program. Therefore, we can not recommend just adding 126 days active duty to his Statement of Service for his Naval Reserve Retirement

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF  
CAPT. BRIAN T. [REDACTED]

unless we have documentation in order to support and validate the dates of his summer training periods.

5. [REDACTED] completes 30 years of commissioned service and is scheduled for transfer to the Retired Reserve on 1 June 2002. He has accumulated approximately 3800 points towards a Naval Reserve retirement, which he will become eligible to receive on his 60th birthday in January 2010. We suggest he continue to search for records/evidence of performance of his summer cruises. Such points can be credited at any time in the future should such information be provided to us.

6. We regret a more favorable response is not possible in this instance. Point of contact in this matter is Mr. [REDACTED] at DSN 882-4497 or commercial (901) 874-4497.



Deputy/Director,  
Naval Reserve Personnel  
Administration Division