



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

LCC:lc  
Docket No: 6730-01  
8 January 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 8 January 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 7220 Pers 822 of 24 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**

7220  
PERS-822  
24 Oct 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters, PERS-00ZCB

Subj: COMMENTS AND RECOMMENDATION ICO [REDACTED]

Ref: (a) NPC memo 5420 PERS-00ZCB of 24 Sep 01  
(b) DODFMR Vol 7A, Chap 1, Section 010301

Encl: (1) Statement of Service of 24 Oct 01  
(2) BCNR file

1. Reference (a) request comments and recommendations in subject officer's case. Specifically, Petitioner requests 01E pay vice 01 pay for having completed four years of prior enlisted naval service.

2. Per reference (b) commissioned officers are entitled to E pay if they served **over** four years of active enlisted service. Enclosure (1) shows member served four years of active enlisted service from 1 June 1993 to 31 May 1997, he spent time in the Naval Reserves until he joined the Air Force Reserves on 17 August 1998. Member's statement of service for Naval Reserve Retirement shows he did not perform any annual training (ATs) or active duty for training (ADTs) and therefore is not entitled to E pay.

3. Enclosure (2) is returned.

[REDACTED]  
Assistant Branch Head,  
Officer Retirements

Name: [REDACTED]

SSN: [REDACTED]

Designator:

Date of Report: 10/24/01

Statement of Service

	Inactive	Active	Training	Subtotals	
				Active	Inactive
USNR-E	08/13/92	05/31/93			
	Delayed entry not creditable				
USN-E		06/01/93	05/31/97	4	0 0
USNR-E	06/01/97	08/16/98			1 2 16

Active duty : 4 year(s) 0 month(s) 0 day(s)

Inactive duty : 1 year(s) 2 month(s) 16 day(s)

Reserve points : 0 year(s) 1 month(s) 0 day(s)

Examiner: A / Reviewer: \_\_\_\_\_