



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

MEH:ddj
Docket No: 8976-02
22 January 2003

[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 22 January 2003. 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 1160 Ser 811/529 of 20 December 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

1160
Ser 811/529
20 Dec 2002

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 24 Sep 02
(b) NAVADMIN 032/02
(c) NAVADMIN 301/02

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of the petitioner's request.
2. The petitioner reenlisted on 05 May 2002 for six years and received a zone "B" SRB entitlement for the MA(0000). The petitioner's EAOS at the time was 04 August 2002. The petitioner reenlisted prior to transfer to NAVSUPPACT SOUDA BAY GR UIC 46127. Reference (b) did not list NAVSUPPACT SOUDA BAY GR UIC 46127 on the Location Selective Reenlistment Bonus (LSRB) award level list at the time the member reenlisted.
3. Reference (c), released on 28 August 2002 with an effective date of 01 October 2002 added NAVSUPPACT SOUDA BAY GR UIC 46127 to the LSRB award level list.
4. The petitioner requests to receive the LSRB entitlement offered in reference (c).
5. Navy Personnel Command/OPNAV cannot provide information pertaining to subsequent SRB NAVADMIN's until after the NAVADMIN has been released. Therefore the petitioner could not have been counseled concerning reference (c) prior to the reenlistment. The petitioner's hindsight is not sufficient grounds to receive the LSRB entitlement as no error or injustice was committed.
6. In view of the above, recommend the petitioner's record remain as is.

Subj: BCNR PETITION ICO [REDACTED]

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

[REDACTED]

MMC(SS) USN
Reenlistment Incentives Branch