



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

BAN
Docket No. 07569-10
7 October 2010

[REDACTED]

This is in reference to your application for correction to your naval record to (a) show that as of 29 November 2007, your former spouse was removed as a beneficiary of your RCSBP and (b) to name your nephew, [REDACTED] as a beneficiary of your RCSBP.

Your records have been administratively corrected to remove your former spouse as a beneficiary. This administrative action satisfies part (a) of your request.

Regarding the part of your request pertaining to adding your nephew as a beneficiary, the following information is provided:


A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 September 2010. 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 HQMC memo 1600 MMSR-5 of 30 Aug 10, 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. The Board agreed 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 also 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