



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

MEH:mh
Docket No: 332-99
25 May 1999

[REDACTED]
[REDACTED]
[REDACTED]
USN

Dear [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 25 May 1999. 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 BUPERS memorandum 1160 NPC-815 of 13 April 1999, 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
NPC-815
13 Apr 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: NPC-00ZCB

Subj: BCNR PETITION ICO MR3 [REDACTED], USN, [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 07 Jun 98
(b) NAVADMIN 308/95
(c) NAVADMIN 081/94
(d) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to petitioner's request.

- Petitioner was discharged from Active Duty on 19 Aug 1994 after three years of Naval service. Petitioner was in paygrade E3 at the time of discharge.

- Petitioner reenlisted for four years on 01 Feb 1996. Reference (b) did not carry an SRB entitlement for MR(0000) rate at the time petitioner reenlisted.

- Petitioner requests to receive the zone "A" SRB entitlement calculated in reference (c) for the broken-service reenlistment based on the date of discharge.

- Per reference (d), members with broken-service must be a petty officer in an SRB eligible rating/NEC. Designated strikers are not eligible for broken-service SRB. Petitioner was an MRFN upon reenlistment on 01 Feb 1996. Additionally, SRB eligibility computation is based upon the current NAVADMIN at the date of reenlistment not the date of discharge.

2. In view of the above, recommend petitioner's record remain as is.

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

[REDACTED]
Head,
Reenlistment Incentives Branch