



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

LCC:ddj
Docket No: 6056-99
19 January 2000

[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 19 January 2000. 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 5420 SER 812/9U830 of 7 December 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

5420
Ser 812/9U830
7 Dec 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Subj: BCNR PETITION ICO [REDACTED]
530-70-4136

Ref: (a) NPC Memo 5420 PERS-00ZB of 23 Nov 99
(b) SNM'S DD Form 149 of 16 Sep 99
(c) NAVPERS 15909F, Enlisted TRANSMAN; Chapter 21

Encl: (1) General Assignment Recall Routing Form
(2) NAVPERS 1070/613 Administrative Remarks

1. Reference (a) requested comments and recommendations in response to reference (b).

2. [REDACTED] requested a general assignment recall IAW reference (c) on 3 April 1999. Her request was routed with enclosure (2) to the Enlisted Community Manager, the Gunner's Mate Detailer, and the Enlisted assignment's director for review and consideration of approval. As shown on the comments section of the routing form, the population of the GMCS community exceeds end-strength which lowers advancement opportunity for the entire population. There was no support to approve her request unless she agreed to an administrative reduction in paygrade to E-7 [REDACTED] was counseled by her detailer, GMCM(SW) Zino, and Mrs. Ward of PERS-812 concerning end-strength issue and agreed to the reduction in paygrade. Enclosure (2) is forwarded as documentation of her acknowledgement and consent to the reduction.

3. Regrettably, due to the population of her rating, she would not have been recalled as a senior chief petty officer. It is not recommended that she be administratively advanced. The option of a reduction in rate is mutually beneficial to the Navy and to the reservist who would otherwise not be recalled to active duty.

P. J. Kramer
P. J. KRAMER
By direction