



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:mh
Docket No: 6534-98
25 May 1999

[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 4 November 1998, 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
PERS-815
04 Nov 98

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: Pers-00XCB

Subj: BCNR PETITION ICO AO2 [REDACTED] USN, [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 27 May 98
(b) NAVADMIN 013/95
(c) NAVADMIN 122/95

Encl: (1) BCNR File

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

- Petitioner requests to review his zone "A" SRB eligibility from February through July 1995 for the AO rate. During the this time frame petitioner's EAOS was 26 Aug 1995.

- Per reference (b), released on 20 Jan 1995 carried a zone "A" SRB for the AO rate at award level 1.5.

- Per reference (c), released on 02 Jun 1995 with effective date of 10 Jul 1995, deleted the AO rate from the SRB entitlement list.

- Per references (b) and (c), the early reenlistment window remains within one month of EAOS. Petitioner's EAOS was 26 Aug 1995 the earliest petitioner was eligible to receive the SRB entitlement was 26 Jul 1995 and the AO SRB eligibility was dropped effective 10 Jul 1995. Therefore, petitioner is not eligible to receive the zone "A" SRB entitlement.

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]

Section Head,
Reenlistment Incentives Branch