



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

MEH:mh  
Docket No: 8501-98  
25 May 1999

ET2 [REDACTED] USN  
[REDACTED]

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-00XCB

Subj: BCNR PETITION ICO ET2 [REDACTED] USN, [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 02 Dec 98  
(b) NAVADMIN 148/98  
(c) NAVADMIN 253/98

Encl: (1) BCNR File

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

- Petitioner reenlisted on 13 Nov 1998 for six years and received a zone "A" SRB entitlement for NEC 3353. Petitioner's EAOS at the time was 05 May 2000 with SEAOS of 05 May 2002. Reference (b) carried the zone "A" SRB entitlement for NEC 3353 with an award level of 3.5.

- Reference (c), released 20 Nov 1998 with an effective date of 01 Dec 1998 carried the zone "A" SRB entitlement for NEC 3353 at an higher award level of 8.0.

- Petitioner requests to expunge the reenlistment date of 13 Nov 1998 to effect a reenlistment after the effective date of reference (c). Petitioner requests this change due to an improper counseling concerning obliserve requirements.

- NAVAL 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. Petitioner's hindsight is not sufficient grounds to expunge the 13 Nov 1998 reenlistment as no error or injustice was committed.

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

3. 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]  
Head,  
Reenlistment Incentives Branch