



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

JLP:ddj
Docket No: 1272-01
13 August 2001

[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 13 August 2001. 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 of 1160 PERS 815 of 13 June 2001, 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
13 Jun 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 03 Jan 01
(b) NAVADMIN 018/00
(c) NAVADMIN 318/00
(d) PHONCON BTWN LCDR Proctor N132D10 Washington DC and PN1 Jones PERS-815 Millington TN on 12 June 2001

Encl: (1) BCNR File

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

a. The petitioner requests retroactive pay for Special Duty Assignment Pay (SDAP) for NEC 9508 from April 2000 to December 2000. The petitioner was attached on board UIC 62229.

b. Reference (b) released on 09 February 2000 did not authorize SDAP at UIC 62229. The SDAP was only offered at RTC Great Lakes, IL. Reference (c) released on 15 December 2000 authorized SDAP to UIC 62229. Therefore, an increase in SDAP during the time-frame of April to December 2000 is unauthorized.

c. Per reference (d), recoupment of paid entitlement is not warranted.

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

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]
EJC(AW) USN
Head,
Reenlistment Incentives Branch