

DEPARTMENT OF THE NAVY

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

JLP:ddj

Docket No: 1867-01

212 June 2001





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 12 June 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 NAVCRUITCOM memorandum 1133 SER 334/06294 of 21 May 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



DEPARTMENT OF THE NAVY NAVY RECRUITING COMMAND 5722 INTEGRITY DR. MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:

1133 Ser 334/06294 21 May 01

From: Commander, Navy Recruiting Command

To: Executive Director, Board for Correction of Naval Records

Subj: BCNR REQUEST ICO

Ref:

(a) COMNAVCRUITCOMINST 1130.8F

(b) BUPERS ltr 1130 Ser N132C4/9U97760 of 18 May 99

(c) PHONCON BUPERS (N132D15) SKCS(SW) COMNAVCRUITCOM (N31226) YN3 Of 18 May 01

Encl: (1) BCNR Docket Nr. 01867-01

1. Recommend disapproval of enclosure (1). Per references (a) and (b), applicant enlisted into PN rating under PRISE III program. The maximum paygrade for accessions via the PRISE III program is E-3, except for NAVETs guaranteed AECF, CTI (N), or the Nuclear Field (NF). Per reference (c), the applicant was offered E-4 into the MS rating or E-3 into the PN rating and applicant chose the PN rating.

2. This is an advisory memorandum for use by the Board for Correction of Naval Records only. Enclosure (1) is returned.

By direction