



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

LCC:ddj
Docket No: 5917-01
30 October 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 30 October 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 NPC 5420 Pers 812 of 27 September 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

5420
PERS-812
SEP 27 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS (BCNR)

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF
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Ref: (a) Assistant for BCNR Matters 5420 Pers-00ZCB Memo of
21 Aug 01
(b) BUPERSINST 1430.16E

Encl: (1) BCNR File #05917-01

1. The following issues are addressed in order as listed on the attachment: (1) PMA - Member signed his evaluation indicating no statement desired. The member should have requested the eval be changed at the time or indicated a desire to submit a statement. (2) SIPG - Member is receiving 34 points, that is the maximum points awarded for this area. (3) LOS - Member is receiving 30.25 points, that is the maximum points an individual with his LOS and SIPG can receive. (4) AWARDS - There is no evidence that the member is eligible for a Good Conduct Award. The information provided showed 3 years 7 months and 8 days of active service, shy of the minimum requirement of 3 years 9 months for eligibility. There is also insufficient evidence to support Naval Reserve Meritorious Service Medal eligibility. Although we can determine number of drills credited we can not determine members conduct warranted eligibility. However, with crediting all eligible NRMSM's members Award points would be as follows: NRMSM for 1989 = 1 point; NRMSM for 1993 = 1 point; NRMSM for 1997 = 2 points; BS Degree = 2 points. Total Award points = 6. (5) PNA POINTS - Although scoring well on the exam does award PNA points, it does not guarantee them. Points are awarded based how well the member did compared to how others scored.

2. In view of the above, the members test scores are average. He was 4 points above average on cycle 066 and 2 points below average on cycle 065. Although I certainly understand his frustration, he did leave 18 points on the table for cycle 066 needing 8.1 more to be advanced and left 23 points on the table for cycle 065 needing 6.50 more to be advanced. Both of these cycles were within his reach if he perhaps would have studied harder. In addition, we feel that this member did not exhaust all of his administrative resources prior to submitting his request to the BCNR.

3. All of the information we have provided could have been provided by his local Education Services Officer. The only error we can determine is on Cycle 066 the member was credited for 2 more award points that he actually earned. No action required.



By direction