



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

LCC:lc
Docket No: 6982-01
6 November 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 6 November 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 OPNAV memorandum 7220 Ser N130C3/01U1325 of 29 October 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
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO
7220
Ser N130C3/01U1325
29 Oct 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTIONS
OF NAVAL RECORDS


Via: Assistant for BCNR Matters, Pers-00XCB

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO


Ref: (a) DODFMR Volume 7A, Chapter 26, Sep 00
(b) Electronic Military Personnel Records System (EMPRS-98)

Encl: (1) BCNR Case File #03732-01 w/Microfiche Service
Record

1. Per your request, the following recommendation concerning enclosure (1) is provided.
2. Enclosure (1) indicates a request to be paid the correct Basic Allowance for Housing (BAH) w/dependent rate while waiting to occupy government housing.
3. IAW reference (a) BAH entitlement is based on the members Permanent Duty Station (PDS). A review of the petitioner's Master Military Pay Account (MMPA) revealed BAH w/dependent rate was started for his Permanent duty station IAW reference (a). No further action is warrant.


Assistant Head, Pay and
Allowances Section (N130C)