



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

MEH:ddj  
Docket No: 8443-00  
20 March 2001

[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 20 March 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 1160 PERS 815 of 13 February 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 Feb 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 07 Dec 00  
(b) MILPERSMAN 1510-020  
(c) NAVADMIN 176/00  
(d) MILPERSMAN 1160-100

Encl: (1) BCNR File

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

a. The petitioner reenlisted for six years on 07 July 2000 prior to attending COMMUNICATIONS INFORMATION SYSTEM training NEC 9303. The petitioner received a zone "A" SRB for this reenlistment.

b. Reference (b) did not list NEC 9303 on the Career Schools List (CSL) at the time of the petitioner's reenlistment.

c. Reference (c), released on 12 July 2000, added NEC 9303 on the CSL. Per reference (d), automatic advancement is authorized if the "C" school or "C" school package the service member completed was listed on the Career Schools List (CSL) in effect on the date of reenlistment.

d. The petitioner requests automatic advancement upon the completion date of 9303 "C" school training via the STAR program.

e. The petitioner completed COMMUNICATION INFORMATION SYSTEM COURSE (NEC 9303) on 28 September 2000. Per reference (c), this course of instruction was listed on the CSL at the time the petitioner completed training. However, petitioner did not initially reenlist under the STAR program, because at the time of reenlistment, NCE 9303 was not eligible to receive benefits under the STAR program.

f. Naval Personnel Command cannot provide information pertaining to subsequent STAR NAVADMIN's CSL until after the NAVADMIN has been released. Therefore the petitioner could have not have been counseled concerning reference (c) prior to his reenlistment. The petitioner's hindsight is not sufficient grounds to change the members reenlistment contract to reflect the benefits of the STAR program.

Subj: BCNR PETITION ICO [REDACTED]

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

3. This is an advisory memorandum to reference (a) for the use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

[REDACTED]

PNC (AW) USN  
Head,  
Reenlistment Incentives Branch