



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

MEH:ddj
Docket No: 8684-00
27 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 27 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 1 March 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
01 Mar 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) NAVADMIN 253/98
(c) NAVADMIN 132/99
(d) OPNAVINST 1160.6A

Encl: (1) BCNR File

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

a. The petitioner's ADSD is 27 April 1993. The petitioner passed through zone "A" SRB eligibility on 26 April 1999. Reference (b) did not provide a zone "A" SRB entitlement for the MA(0000) rate at the time the petitioner passed through zone. The petitioner's EAOS at the time of passing through zone was 26 October 1999.

b. The petitioner reenlisted on 30 August 1999 for three years to continue active service.

c. Reference (c) released on 30 April 1999 with an effective date of 1 May 1999, listed a zone "A" SRB entitlement for the MA(0000) rate. Reference (c) did not list a zones "B" and "C" for SRB.

d. Reference (d) provides an early SRB window during the month of passing through zone, and, on or before the date of passing through zone. Additionally, per reference (c), the zone "A" window is 21 continuous months of active service to 6 years.

e. The petitioner requests to backdate the three year reenlistment of 30 August 1999 to 26 April 1999 and receive the zone "A" SRB entitlement offered in reference (c).

f. The petitioner is ineligible to receive the zone "A" SRB entitlement, because she passed through the zone "A" window prior to the release and the effective date of reference (c).

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

Subj: BCNR PETITION ICO [REDACTED]

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]

PNC (AW) USN
Head,
Reenlistment Incentives Branch