



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, DC 20370-5140

JLP:ddj
Docket No: 7238-02
22 January 2003

[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 22 January 2003. 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 CNRC memorandum 5420 Ser N12 358 2 May 2002, 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

COMMANDER NAVAL RESERVE FORCE
4400 DAUPHINE STREET
NEW ORLEANS, LOUISIANA 70146-5046

IN REPLY REFER TO:

5420

Ser N12

358

102 MAY 2002

From: Commander, Naval Reserve Force
To: Board for Correction of Naval Records

Subj: RECOMMENDATION IN CASE OF [REDACTED]
USNR [REDACTED]

Ref: (a) COMNAVRESCUITCOMINST 1133.1E
(b) Enlisted Transfer Manual NAVPERS 15909

Encl: (1) BCNR File 07238-01

1. Commander, Naval Reserve Force does not support SN [REDACTED] request for advancement and conversion of temporary Intelligence Specialist Second Class. The following pertinent information from her enlistment records are noted:

[REDACTED] Armed Services Vocational Aptitude Battery (ASVAB) scores did not meet the IS rate requirements of VE+AR=103. Her test scores of VE 49 and AR 45 equaled 94. Per reference (b), test scores can only be waived up to 6 points when 2 score combinations are required.

b. [REDACTED] enlisted via the Accelerated Initial Accession (AIA) program, not the Advanced Pay Grade (APG) program, and is ineligible for a temporary paygrade of E5. Because she had prior service in the Army Reserve, she should have been accessed under the Other Service Veteran (OSVET) program or Prior Service APG. In either case, however, her ASVAB scores would disqualify her from the IS rate.

2. [REDACTED] has the following options; she can request discharge due to the erroneous enlistment; she can request to retake the ASVAB test; or she can strike for another rate that she is qualified for. Should she choose to retake the ASVAB test, and score high enough, she may then request to be enrolled in the Basic Reserve Intelligence Training (BRIT) Program.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

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To: [REDACTED]	From: [REDACTED]
Dept./Agency BCNR	Phone # 504 678-6053
Fax # (703) 614-9857	Fax # 504 678-6272

[REDACTED]

3. I hope this information proves useful in responding to your concerns. If I may be of any further assistance, please contact PNC [REDACTED] at DSN 678-6053 or commercial (504) 678-6053.

[REDACTED]