



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

BAN
Docket No. 02121-08
25 August 2008

Dear [REDACTED]

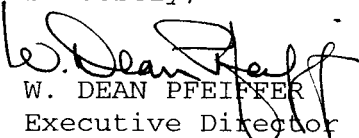
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 June 2008. 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. The Board considered an advisory opinion furnished by NPC memo 1430 Ser 811/304 of 8 Apr 08. In addition, an NPC memo 1070 PERS-312D1/06 of 13 Aug 08 was sent to you on 13 Aug 08 addressing your ribbon and medal entitlements. A copy of the advisory opinion and the memo are enclosed for your records.

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 also 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



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1430
Ser 811/304
8 APR 08

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD
Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 13 Feb 08

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The petitioner is requesting retroactive advancement to E6 and E7 and advancement to E8 based on awards not recorded on DD Form 214.
3. Upon review of petitioner's service record and concurrent advancement instruction NAVPERS 15989 dated 8 March 1969 and 23 December 1977, member was properly advanced to MS1 on 1 October 1975 and MSC on 16 September 1979. The Navy Meritorious Unit Commendation had 1 award credit point towards advancement, and the Republic of Vietnam Gallantry Cross Unit Citation and Combat Action Ribbon did not have awards point for advancement purposes on 8 March 1969. Advancement to E8 is a selection board action. Petitioner's record does not contain information he was selected for advancement to E8 prior to transfer to the fleet reserve on 31 July 1984.
4. In view of the above, recommend the petitioner be disapproved retroactive advancement to E6, E7 and advancement to E8.
5. 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.

C. E. AIMESTILLMAN
Division Director
Enlisted Career Progression