



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

MEH  
Docket No. 12202-08  
27 Jul 09



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 27 July 2009. 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 NPC memo 1430 Ser 811/181 of 6 Apr 09, 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. You requested reinstatement of "my former rate/rank, Master at Arms Petty Officer Second Class." Although you were *frocked* to MA2 on 23 January 2008 you were discharged prior to advancement to that paygrade. Therefore, as correctly indicated on your DD Form 214, the highest paygrade held at time of discharge was MA3. Prior to reenlisting in the Navy under the PRISE III program you were informed, by the CTI Enlisted Community Manager (ECM), that you would be required to reenlist in paygrade E-3 and that you would be offered a guarantee to the Cryptologic Technician-Interpretive class "A" school (the school of your choice). You accepted this offer, and on 15 April 2008 you were enlisted in paygrade E-3 and are currently attending CTI "A" school. 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

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

1430  
Ser 811/181  
6 Apr 09

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 8 Dec 08

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The petitioner is requesting reinstatement of his former rank of MA2/E5.
3. The petitioner was discharged on 31 Mar 2008 as an MA3/E4 prior to his projected 16 Jun advancement to MA2/E5. The petitioner agreed to and was guaranteed CTISN/E3 on his reenlistment dated 15 Apr 2008 which supersedes his previous rank and rating.
4. In view of the above, recommend the petitioner's record remains as is. Additionally CNRC should address the issue of his reenlistment not meeting or exceeding his previous Military Service Obligation.
5. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

  
C. E. AIMESTILLMAN  
Division Director  
Enlisted Career Progression

