



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

MEH
Docket No. 4209-09
6 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 6 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 1160 Ser 811/320 of 14 May 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. 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

1160
Ser 811/320
14 May 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 Apr 09
(b) OPNAVINST 1160.9
(c) GENADMIN 191432Z JUN 07

Encl: (1) BCNR File

1. Per references (a) through (c), recommend disapproval to the petitioner's request.
2. The petitioner is requesting to expunge her 12 month agreement to extend enlistment dated 26 Jan 2009 since her enlisted guarantee, NAVCRUIT 133/52, did not require an extension.
3. References (b) and (c) require a 12 month extension to be eligible to receive the Enlisted Bonus for College Credit (EBCC) which the petitioner was guaranteed and received.
4. In view of the above, recommend correction to the petitioner's NAVCRUIT 1133/52, and enlistment bonus statement of understanding, NAVCRUIT 1133/102, to reflect the required 12 month agreement to extend enlistment.
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

JUN 17 2009