



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

MEH  
Docket No. 4368-11  
19 Sep 11

[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 19 September 2011. 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 memo 1133 Ser 322, a copy of which is attached.

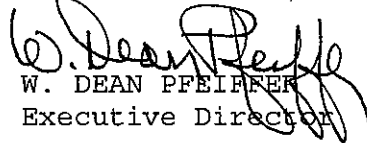
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The Board also noted that during your enlistment process the first page of the Record of Military Processing (DD Form 1966), and the first page of the Enlistment/Reenlistment Document (DD Form 4), erroneously indicated paygrade E-3. However, Block 21 of page 3 of the DD Form 4 correctly reflects enlistment in the Navy in paygrade E-1. The paygrade error of the first two documents was discovered by the MEPS Processor prior to your accession to active duty and brought to your attention. To document your understanding that you would be enlisted in paygrade E-1, vice E-3, you executed an Advanced Paygrade Enlistment Statement of Understanding that clearly stated "I am NOT eligible for advanced paygrade."

There are a number of advanced paygrade programs offered by the Navy. Per COMNAVCRUITCOMINST 1130.8H, applicants may be awarded advanced paygrade based on college credits. Applicants who have satisfactorily completed 48 semester or 72 quarter hours of college credit may be enlisted in paygrade E-3.

Based on documentation provided to the Board, it appears your credits were obtained from Apprenticeship or Job Corps programs. These programs do not qualify for advanced paygrade. 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