



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

MEH:ddj  
Docket No: 6314-01  
8 January 2002

[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 8 January 2002. 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 memorandum 1160 Pers 811 of 14 November 2001, 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**

**NAVY PERSONNEL COMMAND**

**5720 INTEGRITY DRIVE**

**MILLINGTON TN 38055-0000**

1160

PERS-811

14 Nov 01

MEMORANDUM FOR THE CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 18 Aug 01  
(b) NAVADMIN 050/00  
(c) NAVADMIN 049/01

1. In response to reference (a), recommend disapproval of the petitioner's request.

a. The petitioner reenlisted on 11 August 2000 for four years to have sufficient obliserve for the STAR program. The petitioner's EAOS at the time of the reenlistment was 17 May 2001. Reference (b) listed a zone "A" SRB entitlement for the HM(8493) rate at the time the petitioner reenlisted.

b. Reference(c), released on 2 March 2001, changed zone "A" SRB entitlement for the HM(8493) award level from 1 to 4.

c. The petitioner request to change the reenlistment date of 11 August 2000 to a later date closer to his original EAOS of 17 May 2001 and fall under the new SRB entitlement rates.

d. Per ref (d), a member will be required to effect a reenlistment within 6 months of the date of the STAR authorization but the member graduated from the course listed on the CSL and was advanced to E5 the effective date of this graduation.

e. Reference (b) requires the use of the paygrade on the date of discharge (10 August 2000) for computation of SRB entitlement. Petitioner's SRB was correctly computed for paygrade E-4. Had the member not reenlisted on 11 August 2000, he would not have been awarded the HM(8493) NEC nor advanced to E-5.

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484-02-4488

f. Navy Personnel command/OPNAV cannot pr  
Information pertaining to subsequent SRB NAVADMIN's until  
after the NAVADMIN has been released. Therefore the  
petitioner could not have been counseled concerning  
reference (c) prior to the reenlistment. The petitioner's  
hindsight is not sufficient grounds to expunge the  
11 August 2000 reenlistment as no error or injustice was  
committed.

2. In view of the above, recommend the petitioner's record  
remain as is.

3. This is an advisory memorandum to reference (a) for use  
by the Board for Correction of Naval Records (BCNR) only.  
Enclosure (1) is returned.

[REDACTED]  
PNC(AW)

USN

Head,

Reenlistment Incentives Branch