



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:tj

Docket No: 2907-99

10 August 1999

[REDACTED] USN
[REDACTED]
[REDACTED]

Dear PETTY OFFICER [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 10 August 1999. 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 BUPERS Memorandum 1133 Ser 334/06289 of 8 July 1999, 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 RECRUITING COMMAND
5720 INTEGRITY DR.
MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:
1133
Ser 334/06289
8 Jul 99

From: Commander, Navy Recruiting Command
To: Executive Director, Board for Correction of Naval
Records

Subj: BCNR REQUEST ICO HT3 [REDACTED], USN, [REDACTED]

Ref: (a) COMNAVCRUITCOMINST 1130.8E
(b) COMNAVCRUITCOMINST.1130.Ser 21c/000980 of 30 Oct 97

Encl: (1) BCNR Docket Nr. 02907-99

1. Recommend disapproval of enclosure (1). The maximum accession paygrade for NAVETS reenlisting for AECF, CTI(N) or the Nuclear Field is E4. Waivers to enlist in a higher paygrade is not authorized. Original record indicates HT3 [REDACTED] signed and was aware that his request to enlist in paygrade E5 was disapproved due to being overmanned at the E5 paygrade and he acknowledge that his reduction to E4 was permanent, and that he could not petition for reinstatement at any future date.

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

J. O. NEW
By direction