



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd  
Docket No: 04633-97  
19 October 1999

CDR RANDAL G HELLER MSC USN  
4733 BARTRAM ST  
ROCKVILLE MD 20853

Dear Commander Heller:

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 15 October 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 the Bureau of Naval Personnel dated 22 September 1997, 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. The Board observed that if the original fitness report in question were amended to reflect the changes shown in the letter-supplement, and the letter-supplement were removed, it would be appropriate for your OSR to be corrected to reflect those changes and delete the "SUPP" entry. However, they were unable to find the original report was erroneous or unjust, as the letter-supplement did not specify the "Information received after report was written" on which the letter says the changes were based. In view of the above, 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

4633-97



**DEPARTMENT OF THE NAVY  
BUREAU OF NAVAL PERSONNEL  
WASHINGTON, D.C. 20370-5000**

IN REPLY REFER TO  
1611  
Pers-312/322  
SEP 22 1997

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: BUPERS/BCNR Coordinator (Pers-00XCB)  
Subj: CDR RANDAL G. HELLER, USN, 554-70-8428/2300  
Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests correction of his Officer Summary Record to reflect changes to his promotion recommendation and comparison group as reflected in the reporting senior's supplemental letter. The member feels this has a strong bearing on how his record may be viewed by selection boards.

2. Our comments:

a. A review of the member's headquarters record revealed the member's original fitness report for the period in question (8 June to 31 October 1991) and the reporting senior's supplemental letter of 19 August 1993. The supplemental letter changes the member's promotion recommendation to early and his comparison ranking.

b. The OSR is an administrative tool provided to selection boards for use in conjunction with the member's headquarters record. When a supplemental fitness report or letter is filed in an officer's record, it is reflected on the OSR by the entry "SUPP" in block 12. This alerts the reader that there is supplementary material in the member's microfiche record. Revised entries on a supplemental report or letter are not reflected on the OSR - the OSR will continue to show the entries from the original report. Selection board members are briefed on the use of the OSRs with the microfiche record in the review process.

c. The member does not prove the Officer Summary Record (OSR) to be unjust or in error.

3. We recommend relief not be granted.

E.J. BURDICK  
Head, Performance  
Evaluation Branch