



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

JLP:ddj
Docket No: 2527-01
31 July 2001



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 31 July 2001. 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 1780 PERS 604 of 29 June 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

1780
PERS-604
29 Jun 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: Assistant for BCNR Matters (Pers-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO
[REDACTED]

Ref: (a) CNPC memo 5420 PERS-00ZCB of 31 May 01
(b) Title 38, United States Code, Chapter 30

1. The following is provided in response to reference (a):

a. Recommend the Board deny [REDACTED]'s request to add Navy College Fund (NCF) Program guarantee to his master record. NCF Program, as well as the Enlistment Bonus (EB) Program, is an enlistment incentive program that can only be offered at the time of enlistment. At the time of [REDACTED] enlistment, by law, NCF Program could not be offered to recruits opting for the EB Program. Both programs are offered at the sole discretion of the classifier. The Enlistment Document (DD Form 4) is the official document used to identify all enlistment guarantees.

b. A review of [REDACTED] DD Form 4 indicates on 30 September 1994 he was guaranteed "Torpedoman Class "A" School." He reclassified on 9 June 1995 and was guaranteed "Divefarer/Special Warfare Guarantee Program and \$2,500.00 Enlistment Bonus Program," but not NCF Program. Because [REDACTED] was offered an Enlistment Bonus, at the time of his enlistment, by law, he could not be offered NCF Program. The fact that [REDACTED] did not complete the required training program to receive his enlistment bonus in no way guarantees eligibility for NCF or any other enlistment incentive program. Therefore, [REDACTED] is not eligible for NCF Program. [REDACTED] signed and initialed both annexes to his DD Form 4 indicating he reviewed this document and the information was correct. No administrative inconsistencies pertaining to enlistment guarantees exist in his master record.

2. [REDACTED] elected to enroll in the Montgomery GI Bill (MGIB) Program on 13 July 1995. The present educational assistance benefit for full time enrollment in school is \$650.00 per month for 36 months. The monthly entitlement is adjusted yearly based on the Consumer Price Index.

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[REDACTED]

3. PERS-604's point of contact is Mr. Linden Butler who can be reached at (C) 901-874-4246 or DSN 882-4246.

[REDACTED]
[REDACTED]
[REDACTED]
Commander, U.S. Navy
Director, Navy Drug & Alcohol,
Behavioral Health, Federal
Education, & Partnerships
Division (PERS-60)