



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

JLP:ddj
Docket No: 4064-01
22 January 2003

[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 22 January 2003. 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 5420 N130/02UO649 22 November 2002, 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
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370-5000

IN REPLY REFER TO

5420
N130D1/02U0649
22 Nov 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF SEAMAN
[REDACTED]

Encl: (1) BCNR case file #04064-01 with microfiche service record

1. The following provides comment and recommendation on Seaman Apprentice [REDACTED] petition.

2. N130 recommends denial of Seaman Apprentice [REDACTED] petition for an Enlistment Bonus (EB) of \$5,000.

3. Seaman Apprentice [REDACTED] entered the Delayed Entry Program (DEP) on 20 May 2000, volunteered for the Machinist Mate Submarine (MM-SS) School Guarantee and signed a contract for an EB of \$4,000. On 23 October 2000 at Recruit Training, he was reclassified to the Machinist Mate (MM) after being disqualified for MM-SS. In his petition Seaman Apprentice [REDACTED] requests favorable action that would allow an EB payment in the amount of \$5,000.

4. EB eligible ratings and award levels are announced by OPNAV (NAVADMIN) messages. In this case, the message in effect the day a member reclassifies during Recruit Training determines the amount of EB a member is eligible to receive. Although his reclassification documentation reflects a \$5000 EB, in accordance with BUPERS message 121825Z JUL 00 (message in effect that outlined EB levels applicable to Seaman Apprentice [REDACTED] reclassification date), a member entering the MM program is not eligible for an EB. Seaman Apprentice [REDACTED] is not eligible for an EB.

5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

[REDACTED]
Head, Enlisted Bonus
Programs Branch