



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

JLP:ddj
Docket No: 2948-02
4 September 2002

[REDACTED]

Dear [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 4 September 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 CNO memorandum 5420 N130D1/02U0426 of 12 12 August 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
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

5420 IN REPLY REFER TO
N130D1/02U0426
12 Aug 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Encl: (1) BCNR case file #02948-02 with microfiche service record

1. The following provides comment and recommendation on [REDACTED] petition.
2. N130 recommends denial of [REDACTED]'s petition for an Enlistment Bonus (EB) in the amount of \$4,810.00.
3. In a letter from the Chairman, Board for Correction of Naval Records, dated 11 October 2001, the Board found the existence of error and injustice warranting corrective action to the members enlistment contract. The Board recommended that [REDACTED]'s naval record show that he enlisted in the Delayed Entry Program (DEP) on 30 May 1999 vice on or about 22 July 1999 and the DEP enlistment was for the PN rating vice the SECF rating.
4. EB eligible ratings and award levels are announced by OPNAV (GENADMIN) messages. The message in effect the day a member enters the DEP, determines the amount of EB a member is eligible to receive. According to the BUPERS message of DTG 041908Z JAN 99 (effective 01 January 1999), the Personnelman (PN) rating was eligible for an EB from January -May 1999 at the award level of \$3,000. [REDACTED] enlisted in the DEP on 30 May 1999 and is entitled to an EB of \$3,000. On 12 February 2002, an EB of \$3,000 was deposited in [REDACTED]'s account. No further action is necessary.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

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

[REDACTED]

Head, Enlisted Bonus
Programs Branch