

## DEPARTMENT OF THE NAVY

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

JLP:ddj Docket No: 4554-03 26 August 2003



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 26 August 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 CNO memorandum 5420 N130D1/03U0563 of 8 August 2003, 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 PFEIF **Executive Director** 



## DEPARTMENT OF THE NAVY OFFICE OF THE CHIEF OF NAVAL OPERATIONS 2000 NAVY PENTAGON WASHINGTON,D.C. 20350-2000

IN REPLY REFER TO:

5420 N130D1/ 03U0563 8 Aug 2003

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

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER

Encl: (1) BCNR case file #04554-03 with microfiche service record

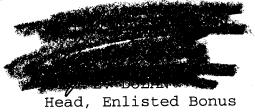
1. The following provides comment and recommendation on Petty Officer petition.

2. N130 recommends denial of Petty Officer **Bally and** petition for an Enlistment Bonus (EB) in the amount of \$9,000.

3. Petty Officer **Deltans** entered the Navy through the Delayed Entry Program (DEP) on 17 November 2000 and volunteered for the Job Oriented Basic Skills (JOBS) Program Strand Nine School Guarantee Program. She shipped to Recruit Training Command on 9 April 2001. In her petition, Petty Officer **Deltans** requests favorable action that would allow payment of a \$9,000 EB.

4. EB is not an entitlement, but a recruiting tool used at the discretion of recruiters and classifiers to entice individuals to enlist in critical skills. The EB program is budgeted based on quotas provided by the Commander, Navy Recruiting Command and the Enlisted Community Managers, not by the number of "A" School accession seats. Every recruit is not offered nor receives an EB. EB is guaranteed by an EB entry in Annex "A" to DD Form 4. Petty Officer Pedere does not have an EB contract in her service record and therefore is not entitled to an EB.

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



Programs Branch