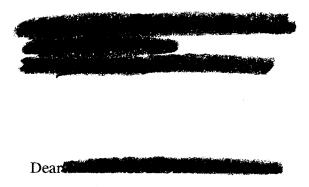


DEPARTMENT OF THE NAVY

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

JLP:ecb Docket No: 5688-03 28 October 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 28 October 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 N130D1/030658 dated 10 September 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,

DEAN H **Executive Direc**

Enclosure



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

IN REPLY REFER TO:

N130D1/ 03U0658 10 Sep 2003

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER

Encl: (1) BCNR case file #05688-03 with microfiche service record

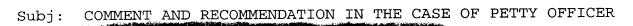
1. The following provides comment and recommendation on **and the second se**

2. N130 recommends disapproval of petition for an Enlistment Bonus (EB) in the amount of \$14,000.

3. (DEP) on 19 May 2001, volunteered for the Nuclear Field Program (DEP) on 19 May 2001, volunteered for the Nuclear Field Program, and signed an EB contract in the amount of \$14,000. He shipped to active duty on 26 March 2002. In his petition **Contract** is a state of a state of the state o

EB eligible ratings and award levels are announced by OPNAV 4. (GENADMIN) messages. The message in effect the day a member enters the DEP and the day the member ships to active duty, determines the amount of EB a member is eligible to receive. In accordance with BUPERS message 142123Z NOV 00 (message in effect at the time (a member entering the Nuclear Field program and shipping to active duty between FY01 and FY03, was eligible for an EB at the award level of \$12,000. BUPERS message 061630Z FEB 02 amends 142123Z NOV 00 but members must ship between 1 February through 31 May 2001 to receive an EB of \$14,000. Since Contraction Shipped after those designated dates he qualifies for an EB of \$12,000. Annex "A" to his DD Form 4 Please update to reflect an EB in the amount of \$12,000 and update his pay record.

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





Head, Enlisted Bonus Programs Branch