



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

JLP:ecb
Docket No: 5871-03
28 October 2003

[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 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 N130D/03U0733 dated 16 October 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 PFEIFFER
Executive Director

Enclosure



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

IN REPLY REFER TO:

5420
N130D/ 03U0733
16 Oct 2003

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Encl: (1) BCNR case file #05871-03 with microfiche service record

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

2. N130 recommends disapproval of [REDACTED] petition for an Enlistment Bonus (EB) for College Credit.

3. [REDACTED] entered the Navy through the Delayed Entry Program (DEP) on 18 April 2001, volunteered for the Cryptologic Technician Interpretive (SG-CTI) School Guarantee Program, and signed an EB Contract for \$6,000 along with an EB College Kicker of \$6,000. On 19 July 2001, she shipped to Recruit Training Command (RTC). In her petition, [REDACTED] requests favorable action that would allow payment of the EB College Kicker.

4. EB eligible ratings and award levels are announced via OPNAV messages. The message in effect the day a member enters the DEP determines the amount of EB a member is eligible to receive. In accordance BUPERS message 142123Z NOV 00 (message in effect at the time [REDACTED] entered DEP), a member enlisting in an EB eligible program and with an EB contract are eligible for an EB Kicker.

However, [REDACTED] failed to complete CTI school and entered a rating (Personnelman) which was not EB eligible. Therefore, [REDACTED] is not entitled to an EB College Kicker.

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

[REDACTED]
Head, Enlisted Bonus
Programs Branch