



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

MEH  
Docket No. 10728-07  
14 Jul 08

[REDACTED]

Dear [REDACTED]

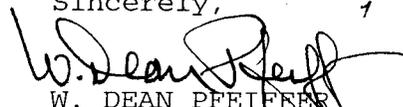
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 July 2008. 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 opinions furnished by CNRC memo 1133 Ser N5312/09046 of 30 Apr 08, and BUPERS memo 1780 BUPERS-262G of 16 Jun 08, copies of which are 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, and your request for a personal hearing before the Board, have 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 also 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  
NAVY RECRUITING COMMAND  
5722 INTEGRITY DR.  
MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:

1133  
Ser N5312/09046  
30 Apr 08

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: ADVISORY OPINION ICO [REDACTED]

1. Petitioner has applied to the Board for Correction of Naval Records due to what he sees as an error in the calculation of his benefit from Navy College Fund (NCF). This memorandum provides a recommendation for the Board regarding the petitioner's application.
2. It is our opinion that in this case the petitioner has a misunderstanding as to how the NCF benefit is calculated. According to our records and the Personalized Recruiting for Immediate and Delayed Enlistment (PRIDE) program, the petitioner entered the Navy in January 1999 with an NCF of \$30,000. There is no record to substantiate the petitioners claim that he entered the Navy with an NCF of \$45,000. In fact, an NCF of \$45,000 has never been offered by the United States Navy. The NCF "kicker" amount is based on the difference between the Montgomery GI Bill (MGIB) benefit at the time of shipping to boot camp and the total NCF offered (\$30k). The kicker amount that the petitioner is eligible for is \$10,992 based on the MGIB benefit of \$19,008 in January 1999. This policy was confirmed with GI Bill Program Section Head (PERS 352G) and therefore, the correct NCF kicker amount has been applied to the petitioner's case. It is regrettable that the petitioner did not more clearly understand the NCF program upon entry into the United States Navy. However, a change to the Naval Record of the petitioner in this case is neither supported nor warranted. Accordingly, we recommend that the Board grant unfavorable consideration of the petitioner's request.
3. Point of contact is LTJG Patrick Dickerson, (901)874-7439, email patrick.dickerson@navy.mil. Our mailing address is Commander, Navy Recruiting Command (N5312), 5722 Integrity Drive (BLDG 784), Millington, TN 38054.

A handwritten signature in black ink, appearing to read "B. M. LEPINE".

B. M. LEPINE  
CDR USN  
By direction