



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

MEH  
Docket No. 11913-08  
11 May 09

[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 11 May 2009. 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 CNO memo 1160 Ser N130D/09U0335 of 22 Apr 09, and NPC memo 1430 Ser 811/282 of 6 May 09, 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 appearance 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,

ROBERT D. ZSALMAN  
Acting Executive Director

Enclosures



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

1430  
Ser 811/282  
6 May 09

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 21 Nov 08  
(b) OPNAVINST 1160.9

Encl: (1) BCNR File

1. Per references (a) and (b), recommend disapproval to the petitioner's request.
2. The petitioner is requesting to not be paid her \$1,000.00 Enlistment Bonus Source Rate (EBSR) and the \$5,000.00 Enlistment Bonus College Credit (EBCC) and cancel her 12 month agreement to extend enlistment for the EB.
3. Reference (b) has no provision to not pay the EB and cancel the agreement to extend enlistment if the member has completed all the requirements. The petitioner has completed the requirements to receive her EBSR/EBCC and should be paid as guaranteed.
4. In view of the above, recommend the petitioner be paid the \$6,000.00 EB and the agreement to extend enlistment remains as is.
5. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

  
C. E. AIMESTILLMAN  
Division Director  
Enlisted Career Progression



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

1160  
Ser N130D/09U0335  
22 April 2009

MEMORANDUM FOR DIRECTOR, BOARD FOR CORRECTION OF NAVAL  
RECORDS

Subj: REQUEST FOR ADVISORY OPINION ICO [REDACTED]

Ref: (a) NAVADMIN 369/08

Encl: (1) BCNR Case No. 11913-08

1. The attached case of [REDACTED] Case No. 11913-08 at enclosure (1), has been reviewed. [REDACTED] requests cancellation of her 12-month extension since her EB and/or EBCC was never paid.
2. N130D does not have the authority to cancel extensions on an enlistment contract. Bonus payments do not occur automatically and are usually initiated by the school-house or first gaining command at the request of the service member.
3. The service member may qualify for the new "Enlisted Early Transition Program" described in reference (a). Paragraph 5 of reference (a) states that "... early transition requests will not be approved for sailors... under a selective reenlistment bonus entitlement..."; however, if this entitlement was never paid, the service member may qualify for the program. Additionally, after speaking with PSCS Rodney Williams (POC on message), OPNAV N132 is working a new NAVADMIN that will make exceptions for sailors who are currently under an EB contract.
4. The recommendation from N130D is to have the service member engage PSCS Williams at OPNAV N132. If the member's extension becomes operative and it appears that she will be required to fulfill her complete enlistment contract, she should engage with her personnel office to ensure that she is paid her bonus amounts.
5. I am the POC for this case. Contact me at comm. 703-614-2067 or by email: [derek.vestal@navy.mil](mailto:derek.vestal@navy.mil) for instructions.

  
D. A. VESTAL  
Navy Bonus Programs  
OPNAV N130D

