



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

MEH
Docket No. 4327-09
15 Jun 09

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 15 June 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 opinion furnished by CNO memo 5730 N132 of 2 Jun 09, 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 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,

A handwritten signature in cursive script, appearing to read "W. Dean Pfeiffer", is written over the typed name.

For W. DEAN PFEIFFER
Executive Director

Enclosure

5730
N132
2 Jun 09

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: REQUEST FOR ADVISORY OPINION ICO [REDACTED]
[REDACTED]

Ref: (a) BCNR Memo of 30 APR 09

Encl: (1) BCNR File 4327-09

1. Per reference (a), enclosure (1) is returned with the following recommendations and comments.
2. The petitioner is requesting to receive option one of his National Call to Service (NCS) enlistment incentive. He additionally states that he was not informed of the option to receive the \$5,000.00 bonus option during the classification phase of his enlistment processing.
3. Having thoroughly reviewed his DD Form 2863 of 27 May 2004, it clearly reveals that the petitioner certified that he read and understood the provisions of the NCS program and furthermore understood his selection of the educational allowance at 50% of the current rate. I find that he was fully informed of the additional enlistment incentives and knowingly accepted the educational allowance guarantee.
4. Based on our findings, we do not support the petitioner's request for payment of option one of his NCS enlistment incentive guarantee on the basis that the member was fully informed of all benefit options.
5. My point of contact in this matter is PSCS(AW) Williams at (703) 693-2311 or DSN 223-2311.



S. C. SATTERWHITE
Commander, United States Navy
Deputy, Force Shaping Plans & Policy
Chief of Naval Operations (N132)

