



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

MEH
Docket No. 4505-09
29 Jun 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 29 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 1160 N130D/09U0461 of 1 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,

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

1160
Ser N130D/09U0461
01 June 2009

MEMORANDUM FOR DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS

Subj: REQUEST FOR ADVISORY OPINION ICO [REDACTED]

Ref: (a) OPNAVINST 1160.9
(b) GENADMIN DTG 191432Z JUN 07

Encl: (1) BCNR Case No. 04505-09

1. The attached case of [REDACTED] Case No. 04505-09 at enclosure (1), has been reviewed. N130D recommends disapproval of petitioner's request to include an Enlistment Bonus (EB) to his latest enlistment contract.
2. As stated in paragraph 10.a.3. of reference (a), "Once training has started a change in rating, skill, or program will normally terminate a member's eligibility for any EB categorized under paragraph 9a." An exception to that policy was in place during [REDACTED] reclassification. Per reference (b), a SEAL attrite "may be offered one reclassification for EB if they reclassify into one of the following ratings: SB-ATF, EOD-ATF, ND-ATF, or AIRCREW-RESCUE (AIRR)."
3. [REDACTED] did not reclassify into one of the ratings listed under the exceptions and was therefore not authorized an EB per policy.
4. I am the POC for this case. Contact me at comm. 703-614-2067 or by email: derek.vestal@navy.mil for instructions.


D. A. VESTAL
Navy Bonus Programs
OPNAV N130D