



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JET
Docket No. NR7220-14
16 Mar 15

[REDACTED]

[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 16 March 2015. 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 CNRC memo 1133 Ser N3 of 8 December 2014, 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 making this determination, the Board concurred with the comments contained in the advisory opinion. In reviewing your application, the Board noted your statement "I did not want the college option." However, the Board noted that you initialed and signed Annex B to the DD Form 4 contract, accepting the Education Allowance for 36 months and which supersedes Annex A. You also initialed and signed a DD Form 2863, Election of Options form acknowledging that you were accepting the "Education Allowance for thirty-six (36) months". The Board further took into consideration that the Enlisted Bonus (EB) message "191432Z JUN 07" in effect at the time you entered the Delayed Entry Program (DEP), stated "National Call to Service (NCS) and New Accession Training (NAT) (formerly known as the "Non-Prior Service Basic" or "NPSB" Program): Sailors entering the NCS and NAT programs are not eligible for EB." The EB previously added to your Annex A was erroneously added to your contract. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



ROBERT J. O'NEILL
Executive Director

- Enclosures: 1. CNRC memo 1133 Ser N3 of 8 Dec 14
2. NAVCRUIT 1133/52 (REV. 11-06), Annex B to DD Form 11SEP07
3. DD Form 2863, OCT 2003: initialed, signed, dated 20070911