



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

JLP:tj
Docket No: 1669-99
24 August 1999



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 August 1999. 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 BUPERS Memorandum 5420 N130D1/141-99 of 3 August 1999, 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 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
WASHINGTON, DC 20350-2000

IN REPLY REFER TO
5420
N130D1/ 141-99
03 AUG 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF SEAMAN
[REDACTED]

Encl: (1) BCNR case file #01669-99 with microfiche service record

1. Following provides comments and recommendations on Seaman
[REDACTED]'s petition.

2. N130 recommends deny [REDACTED] petition for a
Enlistment Bonus (EB) for the AEF/CTM Program.

3. [REDACTED] entered the Delayed Entry Program (DEP) on 23
July 1997, with the guarantees the AEF/CTM Program and EB of
\$4,000. He shipped to active duty on 02 February 1998 and while
at Recruit Training Command (RTC) was disqualified from the
AEF/CTM program due to having color deficient vision. In his
petition, Seaman Jungman requests payment of his EB.

4. EB is paid upon successful completion of the required course
of instruction and designation in the EB eligible skill for which
the member enlisted. Members who fail to complete basic
qualifications for the EB, including failure to graduate from
required school(s), and who do not continue in the skill for
which enlisted, will have the EB option nullified. Review of
[REDACTED] microfiche service record shows he acknowledged
he was not eligible for the AEF/CTM program due to color
deficient vision and further that his guaranteed assignment could
not be filled for this reason. His signed statement confirms he
was properly counseled and accepted assignment to Personnelman
(PN) class "A" school. Also, that he understood this agreement
fulfilled the provision of his original enlistment contract.
Therefore, [REDACTED] is not entitled to an EB.

5. BCNR case file with microfiche service record is returned
herewith as enclosure (1).

[REDACTED]

Assistant, Enlisted Bonus
Programs Branch