



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

Docket No: 2898-99
3 August 1999

[REDACTED] USNR
[REDACTED]
[REDACTED]
[REDACTED]

Dear SEAMAN [REDACTED]

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 3 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 N130D1/132-99 of 19 July 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
N130D1/132-99
19 JUL 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF SEAMAN

[REDACTED], USNR, [REDACTED]

Encl: (1) BCNR File # 02898-99 with Microfiche Service Record

1. The following provides comments and recommendations on Seaman [REDACTED] petition.

2. N130 recommends deny Seaman [REDACTED] petition for an Enlistment Bonus (EB).

3. Seaman [REDACTED] entered the Delayed Entry Program (DEP) on 26 June 1998 with the Radioman (RM) class 'A' school guarantee. She shipped to active duty on 06 July 1998. In April 1999, Seaman [REDACTED] discovered an alleged injustice in her service record. Seaman [REDACTED] claims she is entitled to a TAR Enlistment Bonus (TEB), and that the Navy Classifier did not counsel her regarding the Enlistment Bonus (EB) Program upon enlisting into the RM rating. In her petition, Seaman [REDACTED] requests the Board for Correction of Naval Records (BCNR) amend her enlistment contract to include an EB.

4. EB is not an entitlement, but a recruiting tool used at the discretion of recruiters and classifiers to entice individuals to enlist in critical skills. EB is budgeted based on quotas provided to the Commander, Navy Recruiting Command and the Enlisted Community Manager, not by the number of "A" school accession seats. In accordance with BUPERS message 061200ZAPR98 (EB message in effect at time of Seaman Bennett enlistment), when established quotas are met, (TEB) is terminated. Navy Recruiting Command reports all RM-TEB quotas for July 1998 were sold before Seaman Bennett enlisted in the Navy. Therefore,

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[REDACTED] USNR, [REDACTED]

Seaman [REDACTED] is not eligible to a EB for enlisting for the RM rating. Recruits enlisting for non-EB eligible ratings are not required to be counseled regarding the EB option.

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

[REDACTED]
Assistant, Enlisted Bonus
Programs Branch