



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JLP:ddj
Docket No: 3870-98
23 February 1999

[REDACTED]

Dear [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 23 February 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 CNO memorandum 5420 SER 204/013-99 of 29 January 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
Ser 204/013-99
29 JAN 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Encl: (1) BCNR File #03870-98 with microfiche service record

1. Following provides comments and recommendations on [REDACTED] petition.
2. N130 recommends deny [REDACTED] petition regarding an Enlistment Bonus (EB) for Fire Control Technician (FT) Program.
3. [REDACTED] entered the Delayed Entry Program (DEP) on 17 June 1996 and was guaranteed FT (Submarines) School and Navy College Fund. He shipped to active duty on 24 July 1997. While in 'A' school, he decided to petition for an Enlistment Bonus instead of NCF. [REDACTED] states he was miscounseled about the EB program. Review of his service record indicates he was properly counseled regarding enlistment guarantees. Since a member is not entitled to both NCF and EB, the member is no longer eligible for EB.
4. The Navy offers an EB to members during the DEP or the reclassification phase of recruit training. At no other time may the prospective recipient choose to take an EB. Members are not subsequently permitted to renegotiate program options.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

[REDACTED]
Assistant, Enlisted Bonus
Program Branch