



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

MEH:ddj  
Docket No: 209-01  
16 October 2001



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 16 October 2001. 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 NPC memorandum 5730 Pers 91 of 15 December 2001, 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

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5730

PERS 91

15 Dec 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR ADVISORY OPINIONS IN THE CASE OF  
[REDACTED]

Ref: (1) 10 U.S.C. 1552

Encl: (1) BCNR File 209-01

1. Enclosure (1) is forwarded with the following comments and recommendations:

a. We do not support Petty Officer [REDACTED]'s petition and recommend that his record not be changed. However, Petty Officer [REDACTED] has other options available to obtain a reenlistment bonus as explained below in paragraph 2.

b. Petty Officer [REDACTED] enlisted in the Naval Reserve for two years on 30 July 1998. On 28 July 2000, one day prior to his end of service (EOS), he elected to extend his contract for thirty-six months. At the time of his extension PN1 [REDACTED] of Naval Reserve Center Richmond advised Petty Officer [REDACTED] that he might be eligible for a reenlistment/extension bonus. PN1 [REDACTED] believed Petty Officer [REDACTED] was eligible because at that time the HM3 rating was assigned ECMO category "B" (desired manning level). PN1 [REDACTED] thought that members in ECMO B ratings were eligible for bonuses on a case by case basis and informed Petty Officer [REDACTED] of this possibility. After Petty Officer [REDACTED] extended, PN1 [REDACTED] learned that only members with critical NECs in ECMO category B ratings were eligible for bonuses. PN1 [REDACTED] informed Petty Officer [REDACTED] that because he did possess a critical NEC he was not eligible for any bonus. In October 2000 HM3 rating was changed to ECMO category "A" (undermanned), which qualified all HM3 personnel, including Petty Officer [REDACTED], for reenlistment/extension bonuses.

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c. We regret the inaccurate information provided to Petty Officer [REDACTED] prior to his EOS in July 2000. However, we do not feel that this misinformation created any injustice or error that warrants corrective action or a change to his record. Petty Officer [REDACTED] still had to make a career decision to extend, reenlist, or be separated not later than July 2000. Regardless of his decision he would have not been eligible for a bonus until October 2000.

2. Petty Officer [REDACTED] may request from Navy Personnel Command a waiver to reenlist before completion of his current obligation in order to qualify for a reenlistment bonus. He may also immediately reenlist in order to obtain eligibility for Montgomery G. I. Bill benefits, which may also qualify him for reenlistment bonus.

3. Additional questions may be directed to LCDR [REDACTED] at (901) 874-4501.

[REDACTED]  
[REDACTED]  
Director, Naval Reserve Personnel  
Administration Division