



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

JLP:ddj  
Docket No: 7573-00  
13 August 2001

[REDACTED]

[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 13 August 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 CNO memorandum 5420 N130D1/01U1110 of 22 June 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



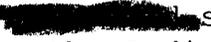
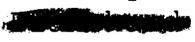
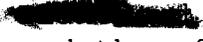
DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO  
5420  
N130D1/ 01U1110  
22 jun 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER  


Encl: (1) BCNR case file #07573-00 with microfiche service record

1. The following provides comment and recommendation on Petty Officer s petition.
2. N130 recommends denial of Petty Officer  petition for an Enlistment Bonus (EB).
3. Petty Officer  entered the Delayed Entry Program (DEP) on 20 April 1999, volunteered for the Radioman (RM-SG) School Guarantee Program and signed a four year enlistment contract. On 23 April 1999 Petty Officer  signed a 2 year contract with a 24 month extension for the Radioman (RM-SG) School Guarantee Program and an EB of \$7,000. In his petition Petty Officer  requests that his contract be rewritten to say a "four year enlistment" and favorable action that would allow payment of an EB.
4. The RM School Guarantee Program is a four year program. In accordance with OPNAVINST 1160.6A, "members enrolling in other than a 6 year obligor program must sign an Agreement to Extend Enlistment for a period of at least 12 months". Petty Officer  does not have a 12 month EB extension in his contract and therefore is not entitled to an EB.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

  
Assistant, Enlisted Bonus  
Programs Branch