



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

JLP:ddj
Docket No: 6349-02
14 January 2003

[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 14 January 2003. 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 N130D/02U0736 of 19 December 2002, 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
N130D/ 02U0736
19 Dec 2002

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

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER [REDACTED]

Encl: (1) BCNR case file #06349-02 with microfiche service record

1. The following provides comment and recommendation on Petty Officer [REDACTED] petition.

2. N130 recommends denial of Petty Officer [REDACTED]'s petition for an Enlistment Bonus (EB).

3. Petty Officer [REDACTED] enlisted in the Navy through the Delayed Entry Program (DEP) and volunteered for the Seal Challenge Program/Interior Communication Electrician. During Recruit Training, he was found unsuitable for the Seal Challenge Program/Interior Communication Electrician and was reclassified to the Aviation Electrician (AE) program with a \$7,000 EB. In his petition, Petty Officer [REDACTED] requests favorable action that would allow payment of the original amount of EB of \$10,000.

4. EB is only offered to members during the DEP or the reclassification phase of recruit training. At no other time may a member petition for an EB. EB payments are contingent upon qualification in the program for which the EB was offered and continuation in that rate for the entirety of the enlistment contract. Petty Officer [REDACTED] received an EB contract upon entry into the DEP. He reclassified at RTC into the AE Program with a \$7,000 EB. He was paid his EB on 29 March 01.

5. Petty Officer [REDACTED] states that he was told by his recruiter that he did not need to sign up for the Montgomery GI Bill since he already had his college degree. Comments pertaining to the integrity of those that promised Petty Officer [REDACTED] a bonus are deferred to the Inspector General for investigation.

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

[REDACTED]

Head, Enlisted Bonus
Programs Branch