



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

JLP:ddj
Docket No: 8167-01
3 December 2002

[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 3 December 2002. 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 N130D1/02U0507 of 26 September 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

5420

N130DT/0200507 TO

26 Sep 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Encl: (1) BCNR case file #08167-01 with microfiche service
record

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

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

3. Petty Officer [REDACTED] entered the Delayed Entry Program (DEP)
on 30 June 1999, volunteered for the Nuclear Field Program and
signed a contract for a combination of \$6,000 EB and \$40,000
Navy College Fund (NCF). He shipped to active duty on 1
February 2000. Petty Officer [REDACTED] upon being informed that his
contract was erroneous requests favorable action that would
allow payment of a \$12,000 Enlisted Bonus (EB) vice the \$5,000
EB with \$40,000 NCF he enlisted for.

4. EB eligible ratings and award levels are announced by OPNAV
(NAVADMIN) messages. The message in effect the day a member
enters the DEP and the day a member ships to active duty,
determines the amount of EB a member is eligible to receive.
Only when the member is reclassified in the Nuclear Field
Program in accordance with BUPERS message 221315ZJUN99 message
in effect at the time of reclassification can the member's EB
amount be changed to the level offered for the program the
member is reclassified into. Petty Officer [REDACTED] has an EB
Contract in his service record that reflects an EB of \$6,000
with \$40,000 Navy College Fund (NCF) and he did not reclassify
at the Nuclear Field Program, therefore, He does not qualify for
an EB of \$12,000. No further action is necessary.

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

Head, Enlisted Bonus
Programs Branch