



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

JLP:ddj
Docket No: 36-03
8 April 2003



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 8 April 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 N130D1/03U0247 of 26 March 2003, 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
N130D1/03U0247
26 Mar 2003

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 #00036-03 with microfiche service record
petition.

1. The following provides comment and recommendation on Petty
Officer [REDACTED]'s petition.
2. N130 recommends disapproval of Petty Officer [REDACTED]
petition for an Enlistment Bonus (EB) College Kicker.
3. Petty Officer [REDACTED] volunteered for the Nuclear Field
Program Guarantee and signed an EB Contract for \$14,000. In his
petition, Petty Officer [REDACTED] requests favorable action that
would allow payment of an EB College Kicker due to his
completion of college credits prior to his enlistment.
4. Petty Officer [REDACTED] has a valid EB Contract in the amount of
\$14,000 and is entitled to that payment upon completion of his
training pipeline and qualification in the skill for which he
was offered the EB. The College Kicker EB is not an
entitlement, but a recruiting tool used at the discretion of
recruiters and classifiers to entice individuals to enlist in
critical skills. Every recruit is not offered nor receives an
EB or an EB College Kicker. Petty Officer [REDACTED] does not have a
College Kicker EB contract in his service record and therefore
is not entitled to a College Kicker EB.
5. BCNR case file with microfiche service record is returned
herewith as enclosure (1).

[REDACTED]
Head, Enlisted Bonus
Programs Branch