



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

JLP:ddj
Docket No. 1330-01
15 November 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 14 November 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 N130D1/01U1104 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/ 01U1104
22 Jun 01

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 #01330-01 with microfiche service record

1. The following provides comment and recommendation on Petty Officer [REDACTED]'s petition.
2. N130 recommends deny Petty Officer [REDACTED] petition for an Enlistment Bonus (EB) of \$12,000.
3. Petty Officer Major entered the Delayed Entry Program (DEP) on 13 August 1998, volunteered for the Nuclear Field (NF) School Guarantee and signed an Enlistment Bonus (EB) of \$12,000 for shipping in May 1998. Petty Officer [REDACTED] shipped to Active Duty on 20 October 1998. In his petition, Petty Officer [REDACTED] requests favorable action that will allow payment of an EB of \$12,000.
4. EB eligible ratings and award levels are announced by OPNAV (GENADMIN) messages. The message in effect the day a member enters the DEP determines the amount of EB a member is eligible to receive in accordance with the member's ship date. According to GENADMIN 3111147Z JUL 98 (the message in effect the day Petty Officer [REDACTED] entered the DEP) a member who volunteered for the Nuclear Field (NF) program and shipped to active duty between June and October is entitled to a \$8,000 EB. Petty Officer [REDACTED] shipped to active duty on 20 October 1998 and is entitled to an EB of \$8,000. He has been paid an EB of \$8,000. No further action is necessary.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

[REDACTED]
Assistant, Enlisted Bonus
Programs Branch