



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

JLP:ddj
Docket No: 4578-01
2 October 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 2 October 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 N130D1/01U1248 of 12 September 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/ 01U1248
12 Sep 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER
██████████ USN, ██████████

Encl: (1) BCNR case file #04578-01 with microfiche service
record

1. The following provides comment and recommendation on Petty
Officer ██████████ petition.

2. N130 recommends denial of Petty Officer ██████████ petition for
an Enlistment Bonus (EB) as he has already received his EB.

3. Petty Officer ██████████ entered the Delayed Entry Program (DEP)
on 30 May 1997, volunteered for the Nuclear Field and signed an
EB contract in the amount of \$4,000. He shipped to active duty
on 12 November 1997. While at Recruit Training Command (RTC) he
signed another contract for the Nuclear Field and an Enlistment
Bonus in the amount of \$10,000. Petty Officer ██████████ requests
favorable action that would allow payment of an EB.

4. EB is offered while the member is in the DEP or upon
reclassification at RTC to a different rating. 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. In accordance with
BUPERS message 151600A OCT 96 (message in effect at the time
Petty Officer ██████████ entered the DEP), a member entering the
Nuclear Field program and shipping between the months of October
and November is eligible for an EB at the award level of \$4,000.
While in the DEP, Petty Officer ██████████ signed a contract for an EB
of \$4,000. He did not reclassify to a different rating at RTC
and therefore is not eligible for another EB level. Petty
Officer ██████████ qualifies for an EB of \$4,000. His pay record
shows he received a \$4,000 EB on 27 August 1999. Petty Officer
has been paid his appropriate EB amount. No further action is
necessary.

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

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

[REDACTED]

Assistant, Enlisted Bonus
Programs Branch