



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

JLP:ddj  
Docket No: 5094-01  
27 December 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 27 December 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 N130D1/01U1385 of 7 December 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  
N130D1/01U1385  
7 Dec 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

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

Encl: (1) BCNR case file #05090-01 with microfiche service record

1. The following provides comment and recommendation on Fireman  
Apprentice [REDACTED] petition.

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

3. Fireman Apprentice [REDACTED] enlisted in the Navy through the  
Delayed Entry Program (DEP) on 8 September 2000 and volunteered  
for the Seaman Apprenticeship Program Guarantee. While at  
Recruit Training Command (RTC) he was reclassified to the Diver  
Challenge Program. In his petition, Fireman Apprentice [REDACTED]  
requests favorable action that would allow payment of an EB.

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. Fireman Apprentice [REDACTED] received an EB contract  
upon entry into the DEP for the Seaman Apprenticeship Program. He  
reclassified at RTC into the Diver Challenge program and was not  
offered an EB upon reclassification. Fireman Apprentice [REDACTED]  
is therefore not entitled to an EB.

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

[REDACTED]  
Assistant, Enlisted Bonus  
Programs Branch