



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

JLP:ddj
Docket No: 8732-00
15 November 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 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 CNP memorandum 5420 N130D1/01U1111 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/ 01U1111
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 #08732-00 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) in the amount of \$8,000.
3. Petty Officer [REDACTED] entered the Delayed Entry Program (DEP) on 26 June 1998, volunteered for the Nuclear Field Program, and signed an EB contract in the amount of \$8,000. He shipped to active duty on 15 June 1999. In his petition Petty Officer [REDACTED] requests favorable action that would allow payment of an \$8,000 EB.
4. EB eligible ratings and award levels are announced by OPNAV (GENADMIN) messages. The message in effect the day a member enters the DEP and the day the member ships to active duty, determines the amount of EB a member is eligible to receive. In accordance with BUPERS message 271147Z MAR 98 (message in effect at the time Petty Officer [REDACTED] entered the DEP), a member entering the Nuclear Field program and shipping to active duty between June 1999 and September 1999, was eligible for an EB at the award level of \$3,250. Petty Officer [REDACTED] qualifies for an EB of \$3,250 in accordance with his contract and should be paid accordingly. Please update the member's pay record.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).

[REDACTED]
Assistant, Enlisted Bonus
Programs Branch