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

JLP:ddj
Docket No: 3955-01
8 January 2002

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 January 2002. 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 N130D1/01U1198 of 6 August 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/ 01U1198
6   Aug 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF SEAMAN
        ~~██~~

Encl: (1) BCNR case file #03955-01 with microfiche service record

1. The following provides comment and recommendation on Seaman
Brady's petition.

2. N130 recommends denial of Seaman ~~████████~~ petition for an
Enlistment Bonus (EB).

3. Seaman ~~████████~~ a Navy Veteran (NAVET) enlisted in the Navy
through the Delayed Entry Program (DEP), on 27 March 2001 under the
NAVET PRISE III Advanced Electronic Field (AEF) / Advanced
Electronic Computer Field (AECF) Program. Seaman ~~████████~~ claims that
he did not receive and EB as he was unable to provide verification
showing he did not receive an EB during his previous enlistment.
In his petition Seaman Brady requests favorable action that will
allow payment of the EB.

4. 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. The EB program is budgeted on quotas
provided to the Commander, Navy Recruiting Command and the Enlisted
Community Manager, not by the number of A-school accession seats.
Every recruit is not offered nor receives an EB. EB Contracts are
guaranteed by an EB entry in Annex "A" to DD Form 4. In accordance
with OPNAVINST 1160.6A, prior service members must who have
previously received an EB are not eligible to receive an EB. EB is
only offered while the member is in DEP or during reclassification
at Recruit Training Command. At no other time may a recruit be
offered an EB. Seaman ~~████████~~ does not have an EB contract in his
service record and therefore is not entitled to an EB.

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

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF SEAMAN

Assistant, Enlisted Bonus
Programs Branch