



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

JLP:ddj
Docket No: 5754-02
26 November 2002

[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 26 November 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 N130D1/02U0587 of 29 October 2002, 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
N130D1/02U0587
29 Oct 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENT AND RECOMMENDATION IN THE CASE OF PETTY OFFICER


Encl: (1) BCNR case file #05754-02 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 additional \$1,000 of Enlistment Bonus (EB).
3. Petty Officer  entered the Delayed Entry Program (DEP) on 22 March 2001, volunteered for the Advanced Electronics Field (AECF) Program Guarantee, and signed an EB contract in the amount of \$13,000 with a EB College Kicker of \$8,000. His payment has been capped at \$20,000 and he requests favorable action that would allow payment of the additional \$1,000 that was included in his contract.
4. EB eligible ratings and award levels are announced by OPNAV messages. The message in effect the day a member enters the DEP determines the amount of EB a member is eligible to receive. An EB College Kicker is an EB. In accordance with BUPERS message 142123ZNOV00 (message in effect at the time Petty Officer  entered the DEP), the total EB amount shall not exceed \$20,000. Petty Officer Titus has been paid the allowable EB amount. No further action is necessary.
5. BCNR case file with microfiche service record is returned herewith as enclosure (1).


Head, Enlisted Bonus
Programs Branch