



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

MEH  
Docket No. 2625-10  
3 May 10

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

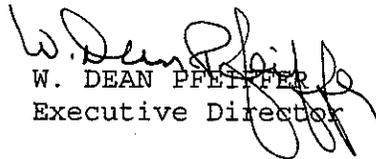
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 3 May 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary 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.

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. You originally enlisted in the Navy with a guarantee to attend the Aviation Boatswain's Mate-Aircraft Handler (ABH) school. Your enlistment guarantee (Annex A) did not contain any promise or guarantee of an enlistment bonus. On 22 January 2008 you executed an annex to your enlistment contract (Annex B to DD Form 4 dated 21 November 2007), which reclassified you into the ATF/AIRR Aircrew Rescue Swimmer program. Again, no bonus was guaranteed. You are now requesting the date on Annex B be corrected to "17 August 2007," vice "22 January 2008" to "allow the DON to pay (a \$15,000) EBCC as guaranteed." However, there is no evidence you were ever "guaranteed" a \$15,000 bonus (or any bonus). Changing the date on Annex B will not establish entitlement to a bonus. You have already been provided with enrollment in the ATF/AIRR Aircrew Rescue Swimmer program which is the only guarantee contained in your enlistment contract. Accordingly, your request has been denied. If you have reason, other than establishing entitlement to a bonus that the date of Annex B should be changed you may submit a separate request, with supporting documentation. 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 also 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