



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

JET  
Docket No. NR7121-14  
30 Sep 14

[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 30 September 2014. 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 OCNO memo 7220 Ser N130D2/14U1046 of 11 Aug 14, a copy of which is attached.

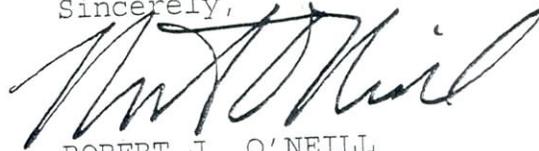
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. You originally enlisted in the Navy with a guarantee to attend the Advanced Technical Field Non-Rescue Swimmer (AIRC) School. Your enlistment guarantee (Annex A) did not contain any promise or guarantee of an enlistment bonus. On 27 March 2008 you signed and executed an annex to your contract (Annex A to DD Form 4 dated 27 March 2008), knowingly without the incentive of an enlistment bonus.

Furthermore, your claim that "a Page 13 was constructed to annotate that the enlistment contract was defective", which does not establish entitlement to the enlistment bonus. In your own words you state "my recruiter and classifier at MEPS both failed to make me aware of the bonus I was entitled to as per my rate (AIRC), and time of entry." Enlistment bonuses are not a

benefit, and recruiters and classifiers and not required to tell enlistees about the incentives if they can get enlistees to sign up without having offered them the incentive to sign up. In your case it was not offered and you voluntarily signed up without the incentive of an enlistment bonus. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



ROBERT J. O'NEILL  
Executive Director

Enclosure: OCNO memo 7220 Ser N130D2/14U1046 of 11 Aug 14