



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

[REDACTED]
Docket No. 7160-21

[REDACTED]

Dear [REDACTED],

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 20 January 2022. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Navy Recruiting Command letter 1133 Ser N35 of 15 November 2021; a copy of which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish entitlement to a \$10,000 Enlisted Bonus for Source Rate (EBSR). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that you did not meet the eligibility criteria for an EBSR under the Aviation Electronic, Electrical, and Computer System Technician (AV/5YO) Program in accordance with Commander Navy Recruiting Command message 290400Z Feb 20. Specifically, this message outlined enlistment bonus eligibility for active duty recruits initially classified or reclassified (change in program, rate, or ship date) on or after 29 February 2020; AV/5YO was not listed as an eligible program for an EBSR.

A review of your record indicates that you signed NAVCRUIT 1133/52, Enlistment Guarantee – Annex “B” on 25 September 2019 acknowledging that if during the periodic review, you were no longer eligible for the options listed because of physical disqualification, you may choose to be reclassified for an enlistment training program for which you qualified. On 8 May 2020, you signed NAVCRUIT 1133/52, Enlistment Guarantee – Annex “C” accepting reclassification from Construction Mechanic/5YO to AV/5YO and eligibility for Enlistment Bonus for RTC PFA (EBPFA) and Enlistment Bonus for High School (EBHS); EBSR was not promised. Thereafter you entered active duty on 1 September 2020 and signed NAVCRUIT 1133/102, Enlistment Bonus Statement of Understanding recognizing your rate change and eligibility for EBPFA and EBHS only. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

2/7/2022

[REDACTED]