



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

██████████
Docket No. 6849-22
Ref: Signature Date

██████████
██████████
██████████

Dear ██████████

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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 20 April 2023. 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 Headquarters U.S. Marine Corps memorandum 1070 JPL of 13 March 2023, and your response to the opinion.

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 correction to your DD Form 214MC, Report of Separation from Active Duty dated 3 March 1978 to reflect entitlement to \$2,500 enlistment bonus and payment with interest if applicable. 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 signed the Statement of Understanding (SOU) for the Enlistment Bonus (EB) Program (Annex B), acknowledging your understanding that you would be paid the bonus "when I finish recruit training and I am eligible for a job in the infantry, armor or artillery occupational field." Additionally, the SOU for EB Program specified that you could be removed from the program for reasons that included not passing the training course assigned; disciplined because of

behavior; and failure to meet the mental, physical, or moral standards established for enlisted Marines, in general or for the particular program or occupational field assigned. Lastly, the SOU for EB Program indicated if you did not make it in the program “because of my own misconduct that I don’t qualify for a job in the program, then I won’t get the bonus money.” The combination of you not obtaining the infantry military occupational specialty and record of misconduct provided the Board with sufficient evidence to determine that you did not meet the criteria for the \$2,500 enlistment bonus as specified in the aforementioned SOU for EB Program. 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,

4/28/2023

