



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

[REDACTED]
Docket No: 4088-16
SEP 12 2017

[REDACTED]
Dear [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 5 June 2017. 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, your naval record and applicable statutes, regulation and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will 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 began a period of active duty in the Navy; the earliest service document in your official military record is dated 2003. Your final evaluation for the period of 16 June 2014 through 15 June 2015, reflects that you held the rank of third class petty officer, were ranked "Early Promote," and received a recommendation for commission. Your record indicates that you affiliated with Naval Operational Support Center [REDACTED] submitted SGLI information on 18 October 2015, and updated your dependent information on 15 November 2015. Your application for correction indicates a discharge date from active duty of 31 October 2015; your official military record available to the Board does not, however, include discharge paperwork.

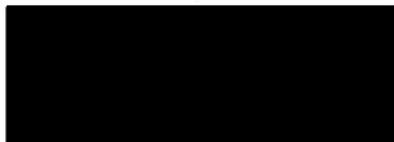
The Board considered your request for correction to your record, which indicates you were discharged pursuant to MILPERSMAN 1160-120, for High Year Tenure (HYT). In your application, you request a waiver to HYT so that you may seek a transfer to the Voluntary Training Unit in the reserves. When making its decision the Board noted that MILPERSMAN

1160-120 outlines HYT as a force shaping tool, and authorizes the approval of a waiver by the appropriate responsible office. The maximum number of years for third class petty officers in the active component is eight years. Navy personnel in the reserve component in the pay grade of third class petty officer may receive a waiver to serve in the Voluntary Training Unit (VTU) or the United States Navy Reserve -S1. Pursuant to MILPERSMAN 1160-120, paragraph 4, individuals are eligible for HYT waiver only within limited circumstances. Paragraph 5 states that HYT waiver requests must be justified by the needs of the Navy and requests based primarily on factors of personal convenience for the member will not be approved and should not be submitted. The Board noted that your application states that you wish approval of the waiver to serve in the VTU, but that you do not establish that you fall within the criteria of paragraph 4. Absent information or evidence that your request falls under MILPERSMAN 1160-120, the Board determined that a HYT waiver is not warranted.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board carefully weighed all potentially mitigating factors, such as your desire to continue your military service in the VTU. The Board found that since your application failed to establish that your request falls within MILPERSMAN 1160-120, and serves the needs of the Navy, your application must be denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,


Executive Director