



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

[REDACTED]
Docket No. 8619-20

[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.

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 17 June 2021. 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 Branch Head, Community Management Support Branch memorandum 1160 Ser B328/171 of 11 December 2020; a copy of which was previously provided to you for comment.

On 23 May 2016, you entered active duty with an EAOS of 22 May 2020 and SEAOS of 22 May 2022. In September 2017, you were awarded NEC M02A. On 30 April 2020, FY20 SRB Award Plan (N13SRB 003/FY20) was published and listed the following: a zone "A" SRB with an award level of 4.5 (\$45,000 award ceiling) for the EOD/M02A (Basic EOD Technician) rate/NEC and a zone "A" SRB with an award level of 6.5 (\$75,000 award ceiling) for the EOD/M03A (Senior EOD Technician) rate/NEC. On 22 May 2020, you reenlisted for 4 years with an EAOS of 21 May 2024. In August 2020, you were awarded NEC M03A.

You requested an SRB at the EOD/M03A (Senior EOD Technician) rate/NEC vice EOD/M02A (Basic EOD Technician) rate/NEC; 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 at the time of your reenlistment (22 May 2020), you held NEC M02A. You earned NEC M03A in August 2020 after you reenlisted thereby, rendering you ineligible to

be paid SRB based on NEC M03A. 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,

7/23/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]