



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

■
Docket No. 3831-21
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 was 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 2 November 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 Office of the Chief of Naval Operations memorandum 7220 Ser N130/21U1135 of 6 August 2021; a copy of which was previously provided to you for comment.

In accordance with MILPERSMAN 1306-116 (9 March 2007), sea tours are prescribed for communities as reflected in the current sea/shore rotation NAVADMIN message. Normally, the sea tour shall not exceed 5 years or be less than 3 years in duration.

On 23 July 1998, you entered active duty.

In accordance with MILPERSMAN 1306-141 (13 March 2015), Sea duty incentive pay - extension (SDIP-E) incentivizes Sailors to voluntarily extend their sea duty assignments on board their current sea duty command when assigned to ships, submarines, or aviation squadrons for rotational purposes by a minimum of 12 months and a maximum of 48 months beyond their prescribed sea tour (PST).

Annotation of the specific SDIP Program the Sailor wishes to apply for must be included on the Voluntary Sea Duty Program (VSDP) NAVPERS 1306/7 Enlisted Personnel Action Request. Approval for SDIP will be sent out in a separate naval message after the VSDP message of approval or disapproval.

Sailors requesting an extension at their current sea duty command should do so prior to entering their order negotiation window not later than 9 months prior to their projected rotation date (PRD).

On 1 May 2015, you reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 30 April 2019.

On 23 May 2017, you were issued official change duty orders (BUPERS order: █), while stationed in NAVHOSP █, with an effective date of departure of August 2017. Petitioner's ultimate activity was █, █ for duty with an effective date of arrival of 20 September 2017. Your PRD was listed as September 2020.

On 18 August 2017, you transferred from █. On 22 September 2017, you arrived to █ for duty.

On 22 April 2018, you signed an agreement to extend enlistment for 17 months with a Soft EAOS (SEAOS) of 30 September 2020 in order to match EAOS with PRD of September 2020.

On 20 May 2020, your Command Career Counselor contacted PERS-407 by email, notifying them that you requested to extend your retirement date from 30 September 2020 to 30 September 2021. You extended an additional 24 months with an SEAOS of 30 September 2022.

In accordance with MILPERSMAN 1160-120, High Year Tenure, Active Component and Full Time Support in grade of E-6 is 22 years.

On 23 July 2020, you reached high year tenure.

You requested to receive SDIP-E retroactive from when you contacted your detailer and submitted your extension request in May 2020 for 24 months effective September 2020. 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 SDIP-E is not an entitlement, it is an incentive for sailors to volunteer to extend past their PST. In order to receive SDIP-E, you were required to submit a request no later than 9 months prior to your PRD. In your case, you should have submitted your request by December 2019. 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,

11/28/2021

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Deputy Director

Signed by: █