



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

█  
Docket No. 544-22  
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 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 26 April 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 by Community Management Support Branch memorandum 1160 Ser B328/009 of 25 January 2022 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.

On 20 June 2011, you entered active duty. On 8 December 2015, you reenlisted for 3 years with an End of Active Obligated Service (EAOS) of 7 December 2018. On 22 November 2017, you signed an agreement to extend enlistment for 19 months with an EAOS of 7 July 2020 in order to match EAOS with Projected Rotation Date of July 2020.

In accordance with NAVADMIN 305/18 of 17 December 2018 a zone "B" SRB with an award level of 1.5 (\$75,000 award ceiling) for the CTI/9RUS rate/ Navy Enlisted Classification (NEC) was authorized.

On 13 May 2019, you were issued official change duty orders (BUPERS order: 1339) with required obligated service to September 2023, while stationed in █ with an effective date of departure of July 2019. Your ultimate activity was █ for duty under instruction with an effective date of arrival of 20 August 2019 and graduation of 27 August 2020.

On 20 May 2019, you signed an agreement to extend enlistment for 2 months with an EAOS of 7 September 2020 under the OBLISERV to Train (OTT) program, in order to extend through school, then

reenlist upon graduation to meet or exceed Permanent Change of Station (PCS) orders (BUPERS order 1339) obligated service requirements (Canceled at a later date).

On 22 July 2019, you transferred from █. On 19 August 2019, arrived to █  
█ duty under instruction.

In accordance with FY20 SRB Award Plan (N13SRB 003/FY20) of 30 April 2020 a zone "B" SRB with an award level of 3.5 (\$75,000 award ceiling) and a zone "C" SRB with an award level of 1.5 (\$75,000 award ceiling) for the CTI/9RUS rate/NEC was authorized.

On 26 June 2020, you signed an agreement to extend enlistment for 10 months with an EAOS of 7 May 2021 in order to extend obligated service in accordance with OTT authorized by BUPERS-328. Under the OTT program, you agreed to extend through school, then reenlist upon graduation to meet or exceed PCS order (BUPERS order: 1339) obligated service requirements.

In accordance with FY21 SRB Award Plan (N13SRB 001/FY21) of 28 October 2020 a zone "B" SRB with an award level of 0.0 (\$75,000 award ceiling) and a zone "C" SRB with an award level of 0.0 (\$75,000 award ceiling) for the CTI/9RUS rate/NEC was authorized.

On 8 February 2021, you were issued official change duty orders (BUPERS order: 0391) while stationed in █ with an effective date of departure of April 2021. Your ultimate activity was █  
█ for duty with an effective date of arrival of 29 April 2021.

On 16 March 2021, you were issued official modification to change duty orders (BUPERS order: 0391) with required obligated service to April 2023, while stationed in █ with an effective date of departure of April 2021. Your intermediate (1) activity was █ for temporary duty under instruction with an effective date of arrival of 10 April 2021 and graduation of 26 April 2021 and 30 July 2021. Your ultimate activity was █ for duty with an effective date of arrival of 15 August 2021.

On 8 April 2021, you reenlisted for 6 years with an EAOS of 7 April 2027.

On 21 April 2021, you were issued official modification to change duty orders (BUPERS order: 0391) with required obligated service to July 2023, while stationed in █ with an effective date of departure of July 2021. Your intermediate (1) activity was █ for temporary duty under instruction with an effective date of arrival of 18 July 2021 and graduation of 9 August 2021 and 15 November 2021. Your ultimate activity was █ for duty with an effective date of arrival of 7 December 2021.

On 20 June 2021, you entered zone "C". On 21 June 2021, you completed █  
course and earned NEC 9RUS. On 12 July 2021, you transferred from █. On 1  
August 2021, you arrived to █ for temporary duty. On 15 November 2021, you  
completed █ course and earned NEC C33A (Eastern Europe  
Cryptologic Linguist). On 15 November 2021, you transferred from █ On 7  
December 2021, you arrived to █ for duty.

You requested your SRB be reinstated. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertion that your chain of command put you a position that made it impossible to succeed on your final exam despite being the top student in your class. In accordance with BUPERS order: 1339, you were scheduled to graduate on 27 August 2020 after 345 days at DLI Basic █. On 26 June 2020, you signed an agreement to extend enlistment for

10 months with an EAOS of 7 May 2021 under the OTT program agreeing to extend through school, then reenlist upon graduation to meet or exceed PCS order (BUPERS order: 1339). At that time, you were scheduled to graduate prior to crossing out of Zone B, however, you failed the final exam and your graduation was delayed. You reenlisted while still in Zone B, however, you did not earn the NEC until you crossed into Zone C, therefore, the Board majority concluded that you are not eligible for an SRB because none was authorized for Zone C. Furthermore, there is no evidence in your Official Military Personnel Files, nor did you provide any reason why you did not graduate as scheduled on 27 August 2020. Without further evidence, there is no evidence to show an injustice occurred. 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,

5/21/2022

█

Deputy Director

█