



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

██████████
Docket No. 1103-22
Ref: Signature Date

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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.

A three-member panel of the Board, sitting in executive session, considered your application on 17 March 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 CMSB memorandum 1160 Ser B328/018 of 16 February 2022 and your response to the opinion.

On 20 July 2011, you entered active duty. On 24 June 2016, you reenlisted for 3 years with an End of Active Obligated Service (EAOS) of 23 June 2019. On 20 May 2018, you signed an agreement to extend enlistment for 10 months with a Soft End of Active Obligated Service (SEAOS) of 23 April 2020 in order to extend to match EAOS with Projected Rotation Date of April 2020.

In accordance with OPNAVINST 1160.8B of 1 April 2019, a member who receives orders to attend training to gain a qualifying Selective Reenlistment Bonus (SRB) Navy Enlisted Classification (NEC), but lacks the required obligated service to complete training may apply for OBLISERV to Train and then reenlist (OTT). To be eligible to apply for OTT, completion of the requested school must occur after the current inoperative extension (i.e., EAOS). If approved for OTT, the member will be allowed to extend enlistment through the school graduation date. The member must agree to obligate service to meet graduation date for the SRB rating, NEC, or skill and then reenlist after the new rating, NEC, or skill is attained or rating conversion is completed. The new rating, NEC, or skill must be designated for award of an SRB at the time of the OTT agreement.

If the member has passed through an SRB zone since the OTT approval date prior to graduation, then that member will receive the award level in effect for the member's current zone. If that award level is zero, then the member will not receive an SRB. An SRB eligible member cannot use this option to delay reenlistment to acquire advance training or another NEC to qualify for a higher paying award level.

On 4 September 2019, you were issued official change duty orders (BUPERS order: 2479) with required obligated service to December 2023, while stationed in ██████████ with an effective date of departure of March 2020. Your ultimate activity was ██████████ duty under instruction with an effective date of arrival of 28 April 2020.

In accordance with FY20 SRB Award Plan (N13SRB 001/FY20) NAVADMIN 272/19 of 2 December 2019 a zone "B" SRB with an award level of 3.5 (\$45,000 award ceiling) for the HM/ NEC L32A rate/NEC was authorized.

On 4 February 2020, you signed an agreement to extend enlistment for 8 months with an SEAOS of 23 December 2020 under the OTT program to match Graduation 17 December 2020.

In accordance with NAVADMIN 065/20, this NAVADMIN supplemented guidance in NAVADMIN 064/20 and announced domestic travel and movement restrictions to mitigate the spread of COVID-19 throughout the Navy, as outlined in MEMO OSD of 13 March 2020. It amplified guidance in MEMO OSD of 13 March 2020, ALNAV 025/20, and ALNAV 026/20 for Navy military members, Navy civilians, and their families. Authorized travelers adhered to the force health protection guidelines in MEMO OSD 11 March 2020 and later guidance, if any. Service members who have not yet initiated pcs travel as of the effective date of this NAVADMIN were directed to contact Navy Personnel Command (NPC) for follow-on guidance NPC was standing by to address each specific case and will authorize entitlements based on current location and situation.

On 24 March 2020, you were issued official modification to change duty orders (BUPERS order: 2479) with required obligated service to July 2024, while stationed in ██████████ with an effective date of departure of December 2020. Your ultimate activity was ██████████ ██████████ for duty under instruction with an effective date of arrival of 18 January 2021. On 26 August 2020, you were issued official modification to change duty orders (BUPERS order: 2479) with required obligated service to July 2024, while stationed in ██████████ with an effective date of departure of December 2020. Your ultimate activity was ██████████ for duty under instruction with an effective date of arrival of 19 January 2021.

In accordance with FY21 SRB Award Plan (N13SRB 001/FY21) of 28 October 2020 a zone "B" SRB with an award level of 3.5 (\$45,000 award ceiling) for the HM/ NEC L32A rate/NEC was authorized.

On 1 December 2020, you reenlisted for 3 years with an EAOS of 30 November 2023 and SEAOS of 31 July 2024. On 20 July 2021, you entered zone "C".

In accordance with FY21 SRB Award Plan (N13SRB 005/FY21) of 9 August 2021 a zone "B" SRB with an award level of 3.5 (\$45,000 award ceiling) for the HM/ NEC L32A rate/NEC was authorized.

On 3 September 2021, you earned NEC L32A (Respiratory Therapist).

You requested an SRB; 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 entered zone "C" on 20 July 2021 and you did not earn the NEC until 3 September 2021. In accordance with OPNAVINST 1160.8B, if a member crosses zones since the OTT approval date, the member will receive the award level in effect for the member's current zone. In your case, no SRB was offered for zone "C". 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,

4/14/2022

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Deputy Director
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