



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

█
Docket No. 7313-22
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 9 March 2023. 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 NSW ECM Technical Advisor email of 2 December 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 15 December 2014, you enlisted in the U.S. Naval Reserve for 8 years with an Expiration of Obligated Service (EOS) of 14 December 2022. On 6 May 2015, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 5 May 2019. On 29 February 2016, you signed an agreement to extend enlistment for 12 months with a Soft End of Active Obligated Service (SEAOS) of 5 May 2020 in order to incur sufficient obligated service for accelerated advancement to E-4. On 5 May 2020, you were released from active duty and transferred to the Naval Reserve.

On 6 April 2020, you were issued official separation orders (BUPERS order: 0970) while stationed in █ with an effective date of departure of

April 2020. Your place elected for travel was [REDACTED] with an effective date of 5 May 2020.

On 14 December 2022, you were discharged from the U.S. Naval Reserve.

You requested the ability to reclassify your year group date of initial military enlistment from 2015 to that of the current year upon your intended reenlistment into military service, in order to qualify for entry into the Navy Special Warfare (NSW) SEAL program. 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 as a Naval veteran, your year group would be determined by subtracting your total active federal military service from the date you would swear into the Navy. Currently, your year group is drastically overmanned which is why you are unable to convert. In order to accomplish what you are requesting, the Board would have to agree to expunge your previous years of service, which it has determined it will not do. The NSW Enlisted Community Management Technical Advisor has advised that if you wish to enter service into the NSW community you currently have two options. You can apply entry into the Special Warfare Combatant-Craft Crewman and apply for the next cycle conversion, if eligible, or wait until you roll into a year group they are assessing for convert-in opportunity, possibly in October 2024. 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,

3/23/2023

[REDACTED]

Deputy Director
[REDACTED]