



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

██████████
Docket No. 2566-23
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 25 May 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 also considered the advisory opinion by Branch Head, Community Management Support Branch BUPERS-328 of 4 April 2023, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

On 26 March 2014, you entered active duty. On 22 October 2018, you reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 21 October 2022.

In accordance with OPNAVINST 1160.8B published on 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 (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.

In January 2020, you were awarded NEC U36A

On 26 October 2021, you were issued official change duty orders (BUPERS order: 2991) with required obligated service to October 2025, while stationed at ██████████, ██████████ with an effective date of departure of April 2022. Your intermediate activity (01) was ██████████, ██████████ for temporary duty under instruction with an effective date of arrival 16 April 2022. Your intermediate activity (02) was ██████████, ██████████ for temporary duty with an effective date of arrival 12 May 2022. Your intermediate activity (03) was ██████████, ██████████ for temporary duty under instruction with an effective date of arrival 29 May 2022. Your ultimate activity was ██████████, ██████████ for duty with an effective date of arrival of 6 October 2022, with a Projected Rotation Date (PRD) of October 2025.

In accordance with FY22 SRB Award Plan (N13SRB 001/FY22) published on 14 February 2022, a zone "B" SRB with an award level of 1.0 (\$30,000 award ceiling) for the EM/U36A rate/NEC was listed.

On 25 February 2022, you were issued official modification to change duty orders (BUPERS order: 2991) with required obligated service to October 2025, while stationed at ██████████, ██████████ with an effective date of departure of April 2022. Your intermediate activity (01) was ██████████, ██████████ for temporary duty under instruction with an effective date of arrival 30 April 2022. Your intermediate activity (02) was ██████████, ██████████ for temporary duty under instruction with an effective date of arrival 29 May 2022. Your ultimate activity was ██████████, ██████████ for duty with an effective date of arrival of 6 October 2022, with a PRD of October 2025. OBLISERV must be obtained within 30 days and prior to transfer.

On 1 April 2022, you reenlisted for 6 years with an EAOS of 31 March 2028. Furthermore, you received a Zone B SRB.

On 29 April 2022, you transferred from ██████████ ██████████ and arrived to ██████████ ██████████ on 1 May 2022 for temporary duty. In May 2022, you were awarded NEC U43A. On 30 May 2022, you transferred from ██████████ ██████████ and arrived to ██████████ ██████████ on 30 May 2022 for temporary duty. In September 2022, you were awarded NEC U35A. On 1 September 2022, you transferred from ██████████ ██████████ and arrived to ██████████ ██████████ on 6 September 2022 for duty.

You requested recalculation of SRB benefits for NEC U35A upon completing the NEC and to recalculate the term of enlistment to make your EAOS 2026 vice 2028; 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, you were in receipt of BUPERS order: 2991, which had you earning NEC U35A in September 2022,

required service out to October 2025, and required you to obligate within 30 days of receipt of orders and prior to transfer. Your EAOS at the time was October 2022; therefore, you did not qualify for the OTT program, as you had enough time on contract to complete your school. The Board determined that you received the correct SRB for the skillset you had at the time. Furthermore, changing your contract term under the circumstances would result in a reduction in your current SRB; therefore, shortening the term is inappropriate. 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,

6/2/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]