



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

██████████  
Docket No. 9434-23  
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 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 1 February 2024. 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 Branch Head, Community Management Support Branch memorandum 1160 Ser B328/185 of 9 November 2023 and your response to the opinion, and Branch Head, Community Management Support Branch memorandum 1160 Ser B328/201 of 11 December 2023.

On 7 April 2008, you entered active duty.

In August 2010, you were awarded Navy Enlisted Classification (NEC) O52A.

On 23 September 2016, you reenlisted for 6 years with an End of Active Obligated Service (EAOS) of 22 September 2022.

In accordance with OPNAVINST 1160.8B, published on 1 April 2019, members who reenlisted or executed an extension for Selective Reenlistment Bonus (SRB) prior to applying for an officer procurement program requiring formal academic training will have remaining installments suspended as of their class convening date. For programs not requiring formal education, future payments are suspended as of the commissioning date.

In accordance with MILPERSMAN 1306-106, published on 4 May 2019, time on station requirement for reassignment. Time on station is the period of time established for tours in specific geographic locations in the Continental United States, overseas, or at sea before executing a Permanent Change of Station transfer. When all other factors are equal, time on station is the primary consideration in selecting Service members for reassignment.

Personnel who refuse to incur the obligated service directed in their orders will have their record flagged per MILPERSMAN 1306- 125. Obligated service will be acquired by reenlistment or extension of enlistment. For Service members who could possibly suffer monetary loss (SRB) or reenlistment bonus entitlement), refer to the current SRB NAVADMIN.

In accordance with NAVADMIN 108/20 published on 15 April 2020, this NAVADMIN announced revised SRB policy for Active Component and Full Time Support, superseding NAVADMIN 272/19. Sailors must now have reenlisted within 365 days of their EAOS (as opposed to 270 days required in NAVADMIN 272/19), except in the case of Nuclear-trained Sailors who could have reenlisted at any point in the reenlistment zone, per guidance in OPNAVINST 1160.8B.

On 16 October 2020, you transferred from █, and arrived to █ on 16 November 2020 for duty.

On 3 May 2022, you were issued official change duty orders (BUPERS order: 1232) with required obligated service to August 2028, while stationed in █, █ (█), █ with an effective date of departure of July 2022. Your ultimate activity was █, █ for duty with an effective date of arrival of 19 August 2023 with a projected rotation date of December 2024. Obligated service to August 2028 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106 para 4. Use of NAVPERS 1070/613 only authorized for SRB eligible sailors.

On 6 May 2022, you were issued official modification to change duty orders (BUPERS order: 1232) with required obligated service to August 2028, while stationed in █, █ (█), █ with an effective date of departure of July 2022. Your ultimate activity was █, █ for duty with an effective date of arrival of 20 August 2023 with a projected rotation date of December 2023. Obligated service to August 2028 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106 para 4. Use of NAVPERS 1070/613 only authorized for SRB eligible sailors.

On 28 June 2022, you reenlisted for 6 years with an EAOS of 27 June 2028.

On 22 July 2022, you transferred from █, and arrived to █ on 8 August 2018 for duty under instruction.

You requested to backdate your reenlistment contract date from 28 June 2022 to 1 October 2021 and receive a Zone C SRB, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that prior to the application submission for the commissioning program and selection result release, you were eligible for early reenlistment with Zone C SRB. However, the Board concluded that you were not eligible for early reenlistment at the time of your submission for the commissioning program. Furthermore, in accordance with OPNAVINST 1160.8B, members who reenlisted or executed an extension for SRB prior to applying for an officer procurement program requiring formal academic training will have remaining installments suspended as of their class convening date. For programs not requiring formal education, future payments are suspended as of the commissioning date. There is no evidence in your record, nor did you provide any, that you reenlisted prior to your application submission. Nor is there evidence that you requested to reenlist for SRB after your application submission, or once you were within 365 days of your EAOS. Additionally, you assert that, “[o]rders also include option for sailors in critical skills rate with SRB an exception to policy if monetary loss would occur.” The Board determined that orders include that language to give sailors who were currently SRB eligible or would be eligible after gaining a qualifying NEC in connection with those orders, an option to obligate service to prevent monetary loss. In your case, BUPERS order: 1232 were issued on 6 May 2022, with required obligated service to August 2028 and you reenlisted on 28 June 2022 to meet the obligated service. The Board could find an error nor an injustice in your record that would warrant backdating your reenlistment. 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,

2/14/2024

