



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

██████████  
Docket No. 10362-23  
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 14 March 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 B328/202 of 12 December 2023, 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.

You previously petitioned the Board (Docket No. 2566-23) which the Board denied on 25 May 2023. In your current petition, you requested that the Board reconsider to modify/cancel current contract due to no Selective Reenlistment Bonus (SRB) benefits included or to reconsider to add SRB entitlement for the contract if it is found an error was made. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, “[a] Page 13 in lieu of an OBLISERVE would have sufficed for the OBLISERVE requirement for BUPERS Order 2991. Due to misinformation, [you] believe an administrative error was made and resulted in missing on opportunity to apply for higher SRB benefit.” However, the Board concluded that on 26 October 2021, you were issued BUPERS order: 2991, including earning Navy Enlisted Classification (NEC) U35A in September 2022 and

required obligated service to October 2025. At that time, your End of Active Obligated Service was 21 October 2022. Additionally, a Zone B SRB with an award level of 2.0 for the EM/U35A rate/NEC and a Zone B SRB with an award level of 1.0 for the EM/U36A rate/NEC was authorized. Furthermore, you were required to obligate within 30 days of issuance of orders and prior to transfer. NAVPERS 1070/613 is only authorized for SRB eligible sailors. Use of NAVPERS 1070/613 for periods of more than 12 months requires NAVPERSCOM (BUPERS-328) authorization. You were required to reenlist or extend enlistment for 36 months, therefore the OBLISERV could not be satisfied with NAVPERS 1070/613. The Board noted that you did not obligate within 30 days of the issuance of either the original BUPERS order: 2991 or its modification, however you did reenlist prior to your transfer. On 1 April 2022, you reenlisted for 6 years and received a Zone B SRB with an award level of 1.0 for EM/U36A rate/NEC. The Board determined that you were required to obligate, which you did, and you executed orders, therefore it will not cancel your contract. Furthermore, you received the correct SRB for the skillset you had at the time. The Board found no error or injustice to warrant a change to your record. 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.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

3/21/2024

[REDACTED]