



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

██████████  
Docket No. 10078-23  
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 25 July 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 Commanding Officer, Navy Pay and Personnel Support Center memorandum 7220 N1 of 27 February 2024, 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 26 July 2017, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 25 July 2021 and Soft EAOS (SEAOS) of 25 July 2023; "[t]raining in the Nuclear Field. MILPERSMAN 1510-030 and MILPERSMAN 1306-500, 1306-502, and 1306-504 (NF) are governing directives. Advancement to Rate and Grade per MILPERSMAN 1430-010. I understand that this extension of active service becomes binding upon execution, and thereafter may not be cancelled, except as set forth in MILPERSMAN 1160-040 and 1510-030. In particular, I understand that when I accept advancement to E-4, 12 months of this agreement may not be cancelled whether or not I complete Nuclear Power or Advanced Training."

In March 2019, you were awarded NEC N150. On 26 March 2019, you transferred from ██████████, and arrived to ██████████ on 14 April 2019 for duty.

In accordance with OPNAVINST 1160.8B, published on 1 April 2019, if an approved SRB reenlistment or extension does not occur or the date changes, the commanding officer must notify BUPERS-328 to cancel the reenlistment or extension request. All authorized SRB reenlistments that are not executed are subject to cancellation and any funds paid will be recouped.

On 25 November 2020, you were authorized a zone “A” SRB with an award level of 9.5 (\$30,000 dollar award ceiling) for the MMN/N150 rate/NEC with an effective date of 17 November 2020.

On 7 December 2021, you were issued official change duty orders (BUPERS order: ██████████ with required obligated service to May 2025, while stationed in ██████████ with an effective date of departure of April 2022. Your ultimate activity was ██████████ for duty with an effective date of arrival of 18 May 2022 with a projected rotation date of May 2025.

On 15 March 2022, you were issued official cancellation to change duty orders (BUPERS order: ██████████

On 5 July 2023, you were issued official separation orders (BUPERS order: ██████████ while stationed in ██████████ with an effective date of departure of July 2023. Place elected for travel: ██████████ with an actual date of separation of 25 July 2023.

On 20 July 2023, you signed an agreement to extend enlistment for 1 month with an SEAOS of 25 August 2023 in order to extend obligated service to receive medical care.

You were released from active duty and transferred to Naval Reserve with an Honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 26 July 2017 to 25 August 2023 upon completion of required active service.

You requested correction of faulty reenlistment claim due to the Defense Finance and Accounting Service issuing you a debt for 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 on 25 November 2020, you were authorized a zone “A” SRB with an award level of 9.5 with an effective date of reenlistment of 17 November 2020. You were paid the initial payment as well as the first anniversary payment. You were separated from active duty upon completion of your initial enlistment contract. The Board determined that there is no reenlistment contract within your record with an effective date of 17 November 2020, therefore no change to your record is necessary. However, you were erroneously paid part of an SRB that you did not reenlist for. Although the approval for SRB is an error, there is no entitlement for you to keep the SRB that you did not earn. The Board determined that your SRB

debt is valid and must be repaid. 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,

8/3/2024

