



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

██████████
Docket No. 5517-24
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 19 December 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 B328/077 of 28 May 2024 and your response to the opinion.

On 4 January 2010 you entered active duty and were advanced to PR2/E-5 on 16 December 2016. On 15 November 2017 you reenlisted for 6 years with an End of Active Obligated Service (EAOS) of 14 November 2023. You transferred from ██████████ on 31 January 2019 and arrived to ██████████ on 15 February 2019 for duty.

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 10 January 2022, you signed an agreement to extend enlistment for 38-months with a Soft EAOS of 14 January 2027 in order to have sufficient obligated service to HYT [High Year Tenure] date of 14 January 2027.

On 8 March 2022, you were issued official change duty orders (BUPERS order: 0672) with required obligated service to September 2025, while stationed in ██████████ ██████████ with an effective date of departure of August 2022. Your ultimate activity was ██████████ ██████████ for duty with an effective date of arrival of 15 September 2022 with a PRD of September 2025. “Obligated service to September 2025 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization refer to NAVADMIN 150-13... 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 1 August 2022 you transferred from ██████████ and arrived at ██████████ on 29 August 2022 for duty.

On 27 September 2023, you submitted an Electronic Personnel Action Request (NAVPERS 1306/7) requesting the following: “Respectfully request HYT waiver for 32 months to fulfill rotation to next contingent command for a follow-on 36-month tour. EDLN [Estimated Date Loss from the Navy] date currently 03MN26.” Furthermore, it was approved on 6 October 2023 by the Commanding Officer.

On 27 September 2023, you submitted an Electronic Personnel Action Request (NAVPERS 1306/7) requesting the following: “██████████ of 38-month EXT to 27 Jan 14 which was made erroneously to reach original HYT of 26 Jan 03. EXT put SVM 12 months beyond HYT date w/o waiver. CANX will allow SVM to reenlist 23 Nov 09 for 4 years with SRB and allow EXT to newly approved HYT.” Furthermore, it was approved on 18 October 2023 by the Commanding Officer.

In accordance with FY24 SRB Award Plan (N13 SRB 001/FY24) published on 3 October 2023, a Zone “C” SRB with an award level of 0.5 (\$30,000 award ceiling) for the PR rate was listed.

On 10 October 2023 MyNavy Career Center notified you that the ECM approved your HYT waiver and EDLN has been adjusted 3 September 2028.

On 11 October 2023 you signed a command career request (NPPSC 1160/1) requesting a 4-year reenlistment effective 9 November 2023. Petitioner’s request was approved by cognizant authority on 1 November 2023.

On 9 November 2023, you reenlisted for 4 years with an EAOS of 8 November 2027.

You requested to cancel the 38-month extension of enlistment you signed on 10 January 2022, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, “[i]f administrative error was never made, I would have been entitled to SRB payment at reenlistment. If extension was for

correct number of months to HYT, it could have been canceled by obligating service 24 months past SEAOS day-for-day. Since the reason for the extension was to reach HYT, but instead it took me a year past... it was clerically inaccurate.” The Board does not have a copy of your extension request. However, the extension which you signed, listed a “38-month extension of enlistment to reach HYT of 14 January 2027.” The Board considered the 10 January 2022 extension and 14 January 2027 as your new HYT date and correct Soft EAOS based on the 38 months you agreed to and that was apparently approved, therefore, it is a valid extension. On 9 November 2023 you reenlisted for 4 years. At that time, you did not reenlist for at least 2 years, day for day beyond the extension agreement to have a maximum of 24 months of an inoperative extension discounted for the SRB computation. 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,

12/23/2024

