

DEPARTMENT OF THE NAVY

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

> Docket No. 720-25 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 31 July 2025. 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 Chief of Naval Personnel memorandum 7220 Ser N130/25U0090 of 24 February 2025, 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.

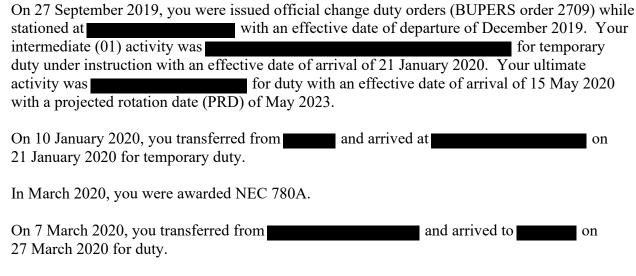
In accordance with Policy Decision Memorandum 003-06: Assignment Incentive Pay (AIP) Program published on 7 December 2006. Policy. AIP is a special pay authorized by Congress in accordance with 37 U.S.C. 307a and governed by the following guidelines: a. AIP will be used to incentivize voluntary assignment to billets determined to be historically difficult to fill. This pay is not an entitlement and is subject to annual budget constraints. Administrators are directed to use AIP in the most cost-effective manner. b. AIP assignments will normally be made through an open market bid system established through the Navy's on-line career management system. Members will enter into a written agreement that specifies the amount and period for which AIP will be paid. Execution of permanent change of station orders with AIP authorization will constitute a written agreement for the purposes of AIP. c. When AIP is implemented at a

location designated Sea/Shore Code 3 (Overseas Shore Duty with sea duty credit for purposes of sea/shore rotations), credit for sea duty will no longer be awarded to members issued orders to these locations.

General Eligibility Criteria. Members desiring assignment under the AIP program must: a. Be an active duty member in accounting category code 100 (ACC 100) as defined in Article 1320-300 of MILPERSMAN. Members will not receive AIP while in a disciplinary status as defined by the Uniform Code of Military Justice (ACC 390, 391, 392, or 393) or during periods of unauthorized absence or when in a deserter status. b. Have completed the first permanent duty (ACC 100) assignment following completion of initial training prior to applying for an AIP eligible billet. c. Meet all promotion requirements to prevent exceeding High Year Tenure (HYT) service limits. Members granted waivers for HYT are not eligible for assignment to an AIP eligible billet. However, if a member who is already in an AIP eligible job and receiving AIP subsequently receives a HYT waiver, that member remains eligible to receive AIP payments until he or she detaches from the command. d. Submit an application with an AIP bid through the Navy on-line career management system or through the alternate AIP application process, as outlined in paragraphs 8. and 9. Members who are assigned to an AIP eligible billet after having lapsed past the orders negotiation window as defined in Article 1306-101 of reference (b) (assignments defined here as '[n]eeds of the Navy Assignments') are not eligible to receive AIP. e. Receive and execute orders to an authorized AIP billet after implementation of AIP for that billet.

On 25 March 2015, you entered active duty.

In February 2018, you were awarded Navy Enlisted Classification (NEC) E38A.



On 1 December 2022, MyNavy Assignment notified you that "[y]ou are not in the orders negotiation window and ineligible to apply for jobs. You are encouraged to contact your Rating Detailer directly to submit a MNA application on your behalf. Sailors can only submit during the PRD-based eligibility period established by Navy Personnel Command. Reference: MILPERSMAN 1306-101 and NAVADMIN 231/17."

On 28 December 2022, the My Navy Assignment My Sailor Application History listed that you submitted several requests during the period of 27 June 2022 to 28 December 2022. Furthermore, \$0.00 bids were made.

On 24 February 2023, you were issued official change duty orders (BUPERS order 0553) with required obligated service to June 2027, while stationed at with an effective date of departure of May 2023. Your ultimate activity was duty with an effective date of arrival of 20 June 2023 with a PRD of June 2027. On 13 March 2023, you were issued official change modification to duty orders (BUPERS order 0553) with required obligated service to June 2026, while stationed at with an effective date of departure of May 2023. Your ultimate activity was for duty with an effective date of arrival of 20 June 2023 with a PRD of $\overline{\text{June }}$ 2026. On 2 June 2023, you transferred from and arrived to an arrived to 19 June 2023 for duty. You requested AIP while assigned to , 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 you made 10 applications in June and August 2022 to commands not eligible for AIP. You had ample time to submit an AIP bid for June-July and August-September but did not. In October, no applications were made by the Detailer. In November 2022, the Detailer submitted applications for you to 4 commands not eligible for AIP, and one that was eligible for AIP. Unfortunately, at that time, you were already outside your order negotiating window. As a result, you were given '[n]eeds of the Navy' orders. In accordance with PDM 003-06, "Members who are assigned to an AIP eligible billet after having lapsed past the orders negotiation window as defined in Article 1306-101 of reference (b) (assignments defined here as '[n]eeds of the Navy Assignments') are not eligible to receive AIP." Therefore, 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 aforementioned 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.

