

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 5668-21 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR

USNR,

Ref: (a) Title 10 U.S.C. § 1552

(b) Title 10 U.S.C. § 510

Encl: (1) DD Form 149 w/attachments

(2) CNRC memo 133 Ser N35 of 10 Nov 21

(3) Subject's naval record

- 1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show Petitioner was eligible for and received the \$5,000 National Call to Service (NCS) Bonus.
- 2. The Board, consisting of property and provided petitioner's allegations of error and injustice on 27 January 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations and policies.
- 3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
- a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
- b. In accordance with reference (b), the Secretary of Defense shall designate military occupational specialties for purposes of subsection (c)(1). Such military occupational specialties shall be military occupational specialties that, as determined by the Secretary, will facilitate pursuit of national service by National Call to Service participants and shall include military occupational specialties for enlistments for officer training and subsequent service as an officer, in cases in which the reason for the enlistment and entry into an agreement under subsection (b) is to enter an officer training program. The incentives specified in this subsection are as follows payment of a bonus in the amount of \$5,000.

- c. On 31 March 2005, Petitioner enlisted for 8 years in the U.S. Naval Reserve with an Expiration of Obligated Service (EOS) of 30 March 2013. Furthermore, Petitioner signed a National Call to Service Program Enlistment Guarantees (NAVCRUIT 1133/52) Annex A to DD Form 4 dated 31 March 2005. Petitioner acknowledged: "In connection with my enlistment into the United States Navy I hereby acknowledge that: a. I am enlisting into the United States Naval Reserve for a period of eight years with 15-months of active duty after initial entry/skills training, two years in an active drilling status as a Selected Reserve and the remaining obligation in either the non-drilling Individual Ready Reserve, with a national service program (AmeriCorps, Peace Corps), or any combination of these options. b. I am enlisting with the following guarantees and understanding: Upon enlistment, I will be enlisted under the provisions of COMNAVCRUITCOM Instruction 1130.8 (series) with the option or options as indicated below: Option (1) Hospital Corpsman (HM) Class 'A' School Program Option (2) \$5,000.00 Enlistment Bonus." Finally, Petitioner signed a National Call to Service (NCS) Cash Bonus Statement of Understanding. "I understand that the National Call to Service program in which I am enlisting offers (select one only): Cash bonus in the amount of \$5,000." And, "I understand that entitlement to the cash bonus/educational allowance is predicated on either completion of the total initial active duty commitment (15 months of active duty after completion of initial training) or reenlistment/extension on active duty for a period of at least two years. I understand that I will receive the cash bonus upon completion of initial active duty commitment."
  - d. On 5 October 2005, Petitioner entered active duty.
- e. On 27 September 2007, Petitioner signed an agreement to remain on active duty for 24 months in order to extend End of Active Obligated Service (EAOS) to deploy with Fleet Marine Forces (FMF) unit in January 2008. Furthermore, Petitioner signed an agreement to extend enlistment for 24 months in order to deploy with Fleet Marine Forces (FMF) unit in January 2008.
- f. On 4 October 2009, Petitioner was honorably released from active duty and transferred to the Navy Reserve.
  - g. On 30 March 2013, Petitioner was honorably discharged.
- h. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

## **CONCLUSION**

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was authorized to receive the National Call to Service Bonus. Defense Finance and Accounting Service will conduct an audit of Petitioner's pay account to determine if the NCS Cash Bonus was previously paid.

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## RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner received an NCS Cash Bonus upon completion of his requirements. Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner was previously paid or is due any back pay.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

- 4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.
- 5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

