



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

[REDACTED]
Docket No. 101-22
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) COMNAVCRUITCOM msg 081625Z Feb 18

Encl: (1) DD Form 149 w/attachments
(2) NRC ltr 1133 Ser N35 of 6 Mar 22
(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 establish eligibility for Enlisted Bonus for Source Rate (EBSR).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 March 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 2 August 2016, Petitioner enlisted in the Naval Reserve for a term of 8-years of which 4-years was considered an active duty obligation. NAVCRUIT 1133/52, Enlistment Guarantees – Annex "A" listed Hospital Corpsman (HM 5YO) Class "A" School Guarantee. Active Duty Service Date (ADSD): 30 March 2017.

b. On 26 October 2016, Petitioner issued Secret clearance.

c. On 22 November 2016, Petitioner reclassified and issued NAVCRUIT 1133/52, Enlistment Guarantees – Annex "B" listing Advanced Technical Field Special Warfare Operator (ATF/SO 6YO) Challenge Program; and Enlistment Bonus for Source Rate (EBSR) - \$12,000 Bonus. ADSD: 12 July 2017.

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[REDACTED]

d. On 28 April 2017, Petitioner and witness signed NAVCRUIT 1133/102, Enlistment Bonus Statement of Understanding acknowledging entitlement to \$12,000 EBSR.

e. On 28 April 2017, Petitioner signed two NAVPERS 1070/621, Agreement to Extend Enlistment for 24 total aggregate months for training in the ATF and advancement in rate and grade; contract expiration date 15 May 2023.

f. Petitioner's ADSD is 16 May 2017.

g. On 14 July 2017, Petitioner completed Recruit Basic Military Training.

h. On 5 February 2018, Petitioner reclassified and issued, NAVCRUIT 1133/52, Enlistment Guarantees – Annex "C" listing Advanced Technical Field Navy Diver (ATF/ND 6 YO) Challenge Program.

i. On 16 March 2018, Petitioner completed Navy Diver Basic Engineering Course.

j. On 27 September 2018, Petitioner completed Diver Second Class course and awarded NEC M2DV effective 1 September 2018.

k. 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. In accordance with reference (b)¹, Petitioner met the criteria to receive \$12,000 EBSR after reclassification to ATF/ND. However, NAVPERS 1133/52, Enlistment Guarantees – Annex "C" was inadvertently issued without \$12,000 EBSR. Although the proper administrative requirements were not completed, the Board felt that under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's NAVCRUIT 1133/52, Enlistment Guarantee - Annex "C" to DD Form 4 dated 2 August 2016 is modified to reflect Option 2: "Enlistment Bonus for Source Rating (EBSR) - \$12,000 Bonus" vice "N/A."

¹ Reference (b) applied to future Sailors initially classified or reclassified (change in program, rate or ship date) on or after 20 December 2017. Active Component Recruits in the Navy Diver (ND) - Advanced Technical Field program that shipped in October through September of any fiscal year were eligible for \$12,000 upon completion of Dive "A" school and must have earned the rating Navy Enlisted Classification (NEC) and have a security clearance.

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[REDACTED]

This change will entitle Petitioner to receive \$12,000 EBSR upon earning the rating NEC.

Note: Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine retroactive bonus entitlement.

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.

4/6/2022

