



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

[REDACTED]  
Docket No. 6476-22  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) COMNAVCRUITCOMINST 1130.8K  
(c) COMNAVCRUITCOM msg 252100Z Jul 19

Encl: (1) DD Form 149 w/attachments  
(2) DD Form 1966, 24 Sep 19  
(3) DD Form 4, 25 Sep 19  
(4) Nelnet Student Loan Verification, 18 Dec 19  
(5) DD Form 2475 (8 forms), 18 Dec 19  
(6) NAVCRUIT 1133/52, 3 Feb 20  
(7) NAVCRUIT 1133/102, 3 Feb 20  
(8) Member Data Summary  
(9) Advisory Opinion by NRC, 4 Nov 22  
(10) Petitioner Response to Advisory Opinion, 6 Jan 23  
(11) Nelnet Student Loan Account Summary, 19 Jan 23

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 entitlement to the Loan Repayment Program (LRP).

2. A three-member panel of the Board, sitting in executive session, considered Petitioner's application on 24 January 2023. The names and votes of the panel members will be furnished upon request. Petitioner allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b) and (c). The Board also considered, enclosure (9), an advisory opinion (AO) by Navy Recruiting Command (NRC), and your response to the AO, enclosure (10).

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:

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a. In accordance with reference (b), the U.S. Navy will pay the lesser of the original loan amount or the unpaid principle balance at the time of accession (not to exceed \$65,000). The U.S. Navy cannot pay for accrued interest, fines, penalties, or processing fees. Additionally, the loan(s) must be in good standing to be eligible for repayment and loan payments will be made directly to the lender. The U.S. Navy will not refund any amount of the loan paid by other parties. The LRP application is completed when the applicant selects the LRP option during the classification process. Completed applications are due 60 days after entry into the Delayed Entry Program (DEP), however, exception to policy were approved on a case-by-case basis.

b. On 24 September 2019 Petitioner signed DD Form 1966 (Record of Military Processing) listing Hospital Corpsman (HM 5YO) Class "A" School Guarantee; Enlisted Bonus for College Credit (EBCC) - \$8,000 and Enlisted Bonus for Physical Fitness Assessment (EBPFA) - \$2,000. Active Duty Service Date (ADSD): 15 April 2020. Enclosure (2).

c. On 25 September 2019 Petitioner enlisted in the Naval Reserve for a term of 8 years of which 4 years was considered an active duty obligation and entered the DEP. ADSD: 15 April 2020. Enclosure (3).

d. On 18 December 2019 Nelnet Student Loan Servicer signed eight (8) DD Form 2475 (Department of Defense Educational LRP Annual Applications) certifying "As an official of the holding institution, I verify that this information is correct and current. Copy of the promissory note is enclosed." Petitioner did not sign the form until 7 January 2020 and a copy of the promissory note was not provided to the Board. Enclosures (4) and (5).

e. On 3 February 2020 Petitioner was reclassified and signed NAVCRUIT 1133/52 (Enlistment Guarantees – Annex "B") listing Advanced Technical Field Special Warfare Operator (ATF/SO 6YO) Challenge Program; Enlistment Bonus for RTC PFA (EBPFA) - \$2,000; Enlistment Bonus for Physical Screening Test (EBPST) - \$2,000; Enlistment Bonus for College Credit (EBCC) -\$8,000; and Enlistment Bonus for Source Rate (EBSR) - \$28,000. Petitioner also signed NAVCRUIT 1133/102 (Enlistment Bonus Statement of Understanding) acknowledging eligibility for the aforementioned enlistment bonuses. Enclosures (6) and (7).

f. Petitioner's ADSD is 3 February 2020. Enclosure (8).

g. As part of the Board's review, Navy Recruiting Command reviewed Petitioner's request and provided the Board with an AO. The AO stated in pertinent part:

"According to reference (b) [COMNAVCRUITCOM 1130 (series)], "the LRP application is complete when the applicant selects the LRP option during the classification process, provides all items listed on the LRP WORKSHEET to the NAVCRUITCOM LRP Manager, and receives final approval for enrollment into LRP via PRIDE". Completed applications are due within "60 days" after entry into the Delayed Entry Program (DEP).

In accordance with references (c) [CNRC MSG 252100Z JUL 19], the LRP option was authorized for applicants entering the Navy Delayed Entry Program into the SO/ATF program. The SNM listed in reference (a) [DD FORM 149 ICO SNM signed 23 AUG 22]

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several DD Form 2475s requested from SNM lending agencies reflecting student loan debit. However, according to enclosures (2) [NAVCRUIT 1133/52 Annex B dtd 3 FEB 20] and (3) [DD FORM 1966], the SNM was reclassified into the ATF/SO 6YO program on 17 Oct 2019. SNM signed an updated enclosure (2) on 3 Feb 2020, which at no time listed LRP as an option of the SNM enlistment contract. As a result, the MEPS Classifier reflected SNM declined LRP as an option for enlistment as indicated in enclosures (4) [PRIDE MOD II MANAGE APPLICANT TAB] and (5) [PRIDE MOD II RTC JOB SALE ORDER REVIEW].”

The AO concluded, “[p]rior to signing enclosure (2), the SNM should have informed the MEPS Classifier his desires to enter the LRP program and inform that he submitted DD Form 2475s to his Recruiter. Navy Recruiting Command recommend the BCNR disapprove.” Enclosure (9).

h. On 6 January 2023 Petitioner provided a response to the AO. Petitioner stated that he has sent in all the physical proof that he has in writing and he turned it into his recruiter well before he went to boot camp. He also did not know that the MEPS personnel did not have his paperwork. Petitioner further states that it was his understanding that the process was on its way and he had no idea that it was never turned in at all. Enclosure (10).

i. On 19 January 2023 Nelnet Student Loan Servicer provided Petitioner with an Account Summary indicating, current balance of \$27,933.06 for eight loans, no past due amount, capitalized interest of \$941.48, and accrued interest of \$241.58. Enclosure (11).

## BOARD CONCLUSION

Upon review and consideration of all the evidence of record, and despite the contents of enclosure (9), the Board concluded Petitioner’s request warrants favorable corrective action. In this regard, the Board determined Petitioner met the eligibility criteria to receive the LRP incentive in accordance with reference (c).<sup>1</sup> However, because of Petitioner’s untimely application submission and no evidence of an approved exception to policy LRP was not annotated on Petitioner’s Annex “B” deeming him ineligible to receive the incentive. The Board found that had Petitioner received adequate counseling on the application submission requirements, he would have completed the proper steps to garner the incentive, therefore, under these circumstances, relief is warranted.

## BOARD RECOMMENDATION

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

Petitioner’s NAVCRUIT 1133/52, Enlistment Guarantees – Annex “B” to DD Form 4 dated 25 September 2019 is amended to reflect Option 6: LRP – Up to \$65,000.

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<sup>1</sup> Reference (c) outlined the Navy ratings and programs eligible for LRP if recruits access to active duty on or before 31 May 2020; “SO-ATF” rating/program was eligible. Furthermore, the message specified LRP was payable and earned upon completing the years of service. Payments occur annually for the first 3 years of active duty. However, Sailors that accessed without LRP in their contracts were ineligible to receive LRP.

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Petitioner was authorized an exception to policy and submitted all required LRP documents to cognizant authorities in a timely manner. Note: To complete the process, Petitioner must contact the Navy Recruiting Command LRP Program Manager at cnrc\_lrp-eb@navy.mil with contact information to include address, email, and phone number.

That a copy of this report of proceedings 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. The foregoing action of the Board is submitted for your review and action.

2/24/2023

[REDACTED]

Executive Director

From: Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Board Recommendation (Grant Relief)

Reviewed and Approved Advisory Opinion Recommendation (Deny Relief)

4/21/2023

[REDACTED]

Assistant General Counsel (M&RA)

Signed by: [REDACTED]