



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

██████████  
Docket No. 7954-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) NAVADMIN 129/19, 11 Jun 19

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by OCNO N133D, 28 Sep 23  
(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 cancel operative/non-operative extension and show that Petitioner reenlisted on 2 October 2019 for 4 years and was eligible for and received a Zone B Selective Reenlistment Bonus (SRB).

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 12 October 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 23 July 13, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 22 July 2017 and Soft EAOS (SEAOS) of 22 July 2019; "Training in the nuclear field program and advancement to E4 per MILPERSMAN articles 1160-040 and 1510-030. I understand that this extension becomes binding upon execution and thereafter may not be cancelled, except as set forth in MILPERSMAN article 1160-040. in particular, I understand that when I accept advancement to E4 12 months of this agreement may not be cancelled whether or not I complete nuclear power or advanced training."

b. On 2 October 2015, Petitioner reenlisted for 6 years with an EAOS of 1 October 2021 and received a Zone A SRB.

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[REDACTED]

c. On 9 October 2015, Petitioner transferred from [REDACTED], and arrived to [REDACTED] 12 November 2015 for duty.

d. On 29 April 2019, Petitioner was issued official change duty orders (BUPERS order: 1199) with required obligated service to October 2023, while stationed in [REDACTED] with an effective date of departure of September 2019. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 15 October 2019 with a Projected Rotation Date of October 2023.

e. In accordance with reference (b), was published on 11 June 2019 and announced revised SRB award levels and reenlistment policy for Active Component and Full-Time Support, superseding NAVADMIN 305/18. Increased award levels were effective immediately and decreased levels were effective 30 days after the release of this NAVADMIN. Sailors must have reenlist within 180 days of their EAOS, except in the following cases: a. Nuclear-trained Sailors. Commands were required to submit SRB reenlistment requests to BUPERS-328 via Officer Personnel Information System or Navy Standard Integrated Personnel System 35 to 120 days in advance of the requested reenlistment date of the Sailor. Requests submitted less than 35 days prior to the requested reenlistment date would be rejected. However, commands could have contacted BUPERS-328 for waiver eligibility and procedures. Sailors must have had an approved SRB request before reenlisting. Furthermore, a Zone "B" SRB with an award level of 6.5 (\$100,000 award ceiling) for the EMN(SW)/N24S rate/NEC was authorized.

f. On 23 July 2019, Petitioner entered Zone B.

g. In August 2019, Petitioner was awarded Navy Enlisted Classification (NEC) N24S (Legacy NEC code was 3394).

h. On 12 September 2019, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 3 October 2019 for duty.

i. On 2 October 2021, Petitioner's 24-month agreement to extend enlistment became operative with an EAOS of 1 October 2023.

j. On 23 July 2023, Petitioner entered Zone C.

k. On 24 September 2023, Petitioner reenlisted for 5 years with an EAOS of 23 September 2028 and received Enlisted Supervisor Retention Pay.

l. In the advisory opinion, 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.

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[REDACTED]

## 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 on 29 April 2019, Petitioner was issued BUPERS order: 1199 with required obligated service to October 2023. At that time, Petitioner's EAOS was 1 October 2021. On 11 June 2019, reference (b) was published authorizing a Zone B SRB for EMN(SW)/N24S rate/NEC. Petitioner entered Zone B on 23 July 2019. The Board could not determine when Petitioner signed an extension of enlistment to meet the service obligation in BUPERS order: 1199, however if Petitioner had been advised to reenlist after crossing into Zone B on 23 July 2019, he would have been eligible to receive a Zone B SRB.

## RECOMMENDATION

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

Petitioner's 24-month agreement to extend enlistment (NAVPERS 1070/621) operative on 2 October 2021 is null and void.

Petitioner was discharged 2 October 2019 and reenlisted on 3 October 2019 for a term of 4 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of 6.5 (\$100,000 award ceiling) for the EMN(SW)/N24S rating/NEC. Remaining obligated service to 1 October 2021 will be deducted from SRB computation. Additionally, these changes will not affect current reenlistment contract. Furthermore, that any other entries affected by the Board's recommendation be corrected. Contact Assistant Nuclear Enlisted Program Manager, N133D, [REDACTED] concerning SRB payment.

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.

10/17/2023

