



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

██████████
Docket No. 8297-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 108/20, 15 Apr 20
(c) FY21 SRB Award Plan (N13SRB 003/FY21), 19 Feb 21
(d) FY21 SRB Award Plan (N13SRB 005/FY21), 9 Aug 21

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 show that Petitioner reenlisted on 18 December 2021 for 4 years and was eligible for and received a Zone B Selective Reenlistment Bonus (SRB), and the eligibility to transfer education benefits to his dependents.

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 2 November 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 24 November 2015, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 23 November 2019 and Soft EAOS (SEAOS) of 23 November 2021; "Training in the Nuclear Field. MILPERSMAN 1510-030 and MILPERSMAN 1306-500, 1306-502, and 1306-504 (NF) are governing directives. Advancement to Rate and Grade per MILPERSMAN 1430-010. I understand that this extension of active service becomes binding upon execution, and thereafter may not be canceled, except as set forth in MILPERSMAN 1160-040 and 1510-030. In particular, I understand that when I accept

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

advancement to E4, 12 months of this agreement may not be canceled whether or not I complete Nuclear Power or Advanced Training.”

b. On 6 February 2017, Petitioner got married to an active duty member who was released from active duty and transferred to the Navy Reserve on 31 August 2019.

c. On 1 December 2017, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 2 January 2018 for duty.

d. On 18 May 2018, Petitioner reenlisted for 6 years with an EAOS of 17 May 2024 and received a Zone A SRB.

e. In February 2019, Petitioner was awarded Navy Enlisted Classification (NEC) N73Z. In December 2019, Petitioner was awarded NEC N13S.

f. In accordance with reference (b), this NAVADMIN announced revised SRB policy for Active Duty and Full-Time Support, superseding NAVADMIN 272/19. Sailors must now have reenlisted within 365 days of their EAOS (as opposed to 270 days required in NAVADMIN 272/19), except in the case of Nuclear-trained Sailors who could have reenlisted at any point in the reenlistment zone, per guidance in OPNAVINST 1160.8B.

g. In accordance with reference (c), FY21 SRB Award Plan (N13SRB 003/FY21), a Zone “B” SRB with an award level of 9.5 (\$100,000 award ceiling) for the ETN(SS)/N13O/S rate/NEC was listed.

h. On 15 April 2021, Petitioner was issued official change duty orders (BUPERS order: 1051) with required obligated service to January 2025, while stationed in [REDACTED] with an effective date of departure of September 2021. Petitioner’s intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 18 October 2021. Petitioner’s ultimate activity was [REDACTED] for duty with an effective date of arrival of 8 January 2022 with a Projected Rotation Date of January 2025. Obligated service to January 2025 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization refer to NAVADMIN150-13. Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106. para 4. Use of NAVPERS 1070/613 only authorized for SRB eligible sailors.

i. In June 2021, Petitioner was awarded NEC N33S.

j. In accordance with reference (d), FY21 SRB Award Plan (N13SRB 005/FY21), a Zone “B” SRB with an award level of 9.5 (\$100,000 award ceiling) for the ETN(SS)/N13O/S rate/NEC was listed.

k. On 20 September 2021, Petitioner transferred from [REDACTED] and arrived to [REDACTED] 19 October 2021 for temporary duty.

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

l. On 24 November 2021, Petitioner entered Zone B.

m. On 10 December 2021, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 11 December 2021 for duty.

n. On 11 December 2021, Petitioner's Master Military Pay Account shows that Petitioner's Submarine Pay stopped.

o. 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.

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 15 April 2021, Petitioner was BUPERS order: 1051 with required obligated service to January 2025. At that time, a Zone B SRB was authorized in accordance with reference (c), however Petitioner was still in Zone A. Petitioner entered Zone B on 24 November 2021. The Board determined that Petitioner should have signed a NAVPERS 1070/613 agreeing to extend enlistment for 8 months to meet the OBLISERV. On 18 December 2021, Petitioner would have been eligible to reenlist for 4 years and receive a Zone B SRB. Furthermore, Petitioner would have been eligible to transfer his education benefits to his dependents.

RECOMMENDATION

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

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 15 April 2021 agreeing to extend enlistment for 8 months for OBLISERV to January 2025.

Petitioner was discharged 17 December 2021 and reenlisted on 18 December 2021 for a term of 4 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of "9.5" (\$100,000 award ceiling) for the ETN(SS)/N13S rating/NEC. Remaining obligated service to 17 May 2024 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align the transfer education benefits with the 18 December 2021 reenlistment. 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.

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

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.

11/7/2023

