



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

██████████
Docket No. 8309-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) FY20 SRB Award Plan (N13SRB 001/FY20), 2 Dec 19
(c) FY20 SRB Award Plan (N13SRB 003/FY20), 30 Apr 20

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 her naval record be corrected to cancel operative/non-operative extension and show that Petitioner reenlisted on 12 August 2020 for 4 years and was eligible for and received a Zone B Selective Reenlistment Bonus (SRB).

2. The Board, consisting of ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 19 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 5 August 2014, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 4 August 2018 and Soft EAOS (SEAOS) of 4 August 2020; "Training in Nuclear Filed and 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 cancelled, except as set forth in MILPERSMAN 1160-040 and 1510-030. 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."

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

b. On 20 May 2016, Petitioner was issued official change duty orders (BUPERS order: 1416) while stationed in [REDACTED] with an effective date of departure of July 2016. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 4 August 2016 with a projected rotation date (PRD) of August 2020.

c. On 8 August 2016, Petitioner transferred to [REDACTED] and arrived to [REDACTED] on 13 August 2016 for duty.

d. On 12 November 2016, Petitioner reenlisted for 6 years with an EAOS of 11 November 2022 and received a Zone A SRB.

e. In August 2018, Petitioner was awarded Navy Enlisted Classification (NEC) N73Z.

f. In accordance with reference (b), FY20 SRB Award Plan (N13SRB 001/FY20) a Zone "B" SRB with an award level of 6.5 (\$100,000 award ceiling) for the ETN(SW)/N23O/S rate/NEC was listed.

g. On 27 January 2020, Petitioner was issued official change duty orders (BUPERS order: 0270) with required obligated service to January 2024, while stationed in [REDACTED] with an effective date of departure of August 2020. Petitioner's intermediate (01) activity was [REDACTED] for duty with an effective date of arrival of 21 September 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 9 January 2021 with a PRD of January 2024.

h. In accordance with reference (c), FY20 SRB Award Plan (N13SRB 003/FY20) a Zone "B" SRB with an award level of 7.0 (\$100,000 award ceiling) for the ETN(SW)/N23O/S rate/NEC was listed.

i. On 21 May 2020, Petitioner signed an agreement to extend enlistment for 14 months with an SEAOS of 11 January 2024 in order to extend to incur sufficient obligated service to execute BUPERS order 0270.

j. In June 2020, Petitioner was awarded NEC N33Z. In August 2020, Petitioner was awarded NEC N23S.

k. On 5 August 2020, Petitioner entered Zone B.

l. On 15 September 2020, Petitioner was issued modification to official change duty orders (BUPERS order: 0270) with a required obligated service to March 2024, while stationed in [REDACTED] with an effective date of departure of October 2020. Petitioner's intermediate (01) activity was [REDACTED] for duty with an effective date of arrival of 16 November 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 6 March 2021 with a PRD of March 2024.

m. On 20 October 2020, Petitioner transferred to [REDACTED] and arrived to [REDACTED] on 17 November 2020 for temporary duty.

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

n. On 29 November 2020, Petitioner signed an agreement to extend enlistment for 2 months with an SEAOS of 11 March 2024 in order to extend to incur sufficient obligated service to execute BUPERS order 0270.

o. In March 2021, Petitioner was awarded NEC 805A.

p. On 6 March 2021, Petitioner transferred to [REDACTED] and arrived to [REDACTED] on 6 March 2021 for duty.

q. 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 27 January 2020, Petitioner was issued BUPERS order: 0270 with required obligated service to January 2024. At that time, a Zone B SRB was authorized in accordance with reference (b), however Petitioner was still in Zone A. On 21 May 2020, Petitioner signed an agreement to extend enlistment for 14 months in order to OBLISERV for orders. On 30 April 2020, reference (d) was published, authorizing a Zone "B" SRB with an award level of 7.0 (\$100,000 award ceiling) for the ETN(SW)/N23S rate/NEC. On 5 August 2020, Petitioner entered Zone B. The Board determined that Petitioner should have been advised to reenlist after entering Zone B vice signing an extension of enlistment. On 12 August 2020, Petitioner would have been eligible to reenlist for 4 years and receive a Zone B SRB.

RECOMMENDATION

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

Petitioner's 14-month agreement to extend enlistment (NAVPERS 1070/621) executed on 21 May 2020 is null and void.

Petitioner's 2-month agreement to extend enlistment (NAVPERS 1070/621) executed on 29 November 2020 is null and void.

Petitioner was discharged 11 August 2020 and reenlisted on 12 August 2020 for a term of 4 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of "7.0" (\$100,000 award ceiling) for the ETN(SW)/N23S rating/NEC. Remaining obligated service to 11 November 2022 will be deducted from SRB computation. Furthermore, that any other entries affected by the Board's recommendation be corrected. Contact Assistant Nuclear Enlisted Program Manager, [REDACTED], concerning SRB payment.

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

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.

10/30/2023

[REDACTED]