



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

██████████  
Docket No. 8310-23  
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) OPNAVINST 7220.15, 28 Dec 05  
(c) 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 show that Petitioner reenlisted on 26 October 2019 for 5 years, was eligible for and received a Zone B Selective Reenlistment Bonus (SRB, and eligibility to transfer education benefits to his dependents.

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 26 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. In accordance with reference (b), active duty enlisted personnel are eligible for CONSUBPAY if they satisfy all of the following conditions: While not serving on a submarine, have obligated service for 14 months beyond their projected rotation date (PRD) in order to be reassigned to submarine sea duty upon completion of the non-submarine or shore duty assignment. The requirement to maintain 14 months beyond PRD must be maintained at all times after any CONSUBPAY is received while not serving on a submarine.

b. On 22 October 2013, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 21 October 2017 and Soft EAOS (SEAOS) of 21 October 2019;

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

“Training in the Nuclear Field Program, and advancement to E-4, 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.”

c. On 16 July 2015, Petitioner was issued official change duty orders (BUPERS order: 1975) while stationed in [REDACTED] with an effective date of departure of July 2015. Petitioner’s ultimate activity was [REDACTED] for duty with an effective date of arrival of 1 September 2015 with a PRD of September 2018.

d. On 4 August 2015, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 3 September 2015 for duty.

e. On 15 July 2016, Petitioner reenlisted for 6 years with an EAOS of 14 July 2022 and received a Zone A SRB.

f. On 22 September 2017, Petitioner got married with 2 stepchildren.

g. On 26 October 2017, Petitioner’s child was born.

h. In April 2018, Petitioner was awarded Navy Enlisted Classification (NEC) N15S.

i. On 2 April 2019, Petitioner was issued official change duty orders (BUPERS order: 0929) while stationed in [REDACTED] with an effective date of departure of April 2019. Petitioner’s ultimate activity was [REDACTED] for duty humanitarian assignment with an effective date of arrival of 29 May 2019 with a PRD of May 2020.

j. On 29 April 2019, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 29 April 2019 for duty.

k. In accordance with reference (c), this NAVADMIN 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 9.0 (\$100,000 award ceiling) for the MMN(SS)/N15S rate/NEC was authorized.

l. On 22 October 2019, Petitioner entered Zone B.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

m. On 9 July 2020, Petitioner was issued official change duty orders (BUPERS order: 1910) with required obligated service to September 2022, while stationed in [REDACTED] with an effective date of departure of August 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 30 September 2020 with a PRD of September 2022.

n. On 31 August 2020, Petitioner's Master Military Pay Account shows that Petitioner's Submarine Pay stopped.

o. On 31 August 2020, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 13 October 2020 for duty.

p. On 28 October 2020, Petitioner signed an agreement to extend enlistment for 2 months with a SEAOS of 14 September 2022 in order to incur sufficient obligated service to execute BUPERS order 1910.

q. On 26 January 2022, Petitioner signed an agreement to extend enlistment for 15 months with a SEAOS of 14 December 2023 in order to match EAOS with PRD of 31 October 2023.

r. On 10 October 2023, Petitioner's Benefits for Education Administrative Service Tool listed no dependents.

s. 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 22 October 2019, Petitioner entered Zone B. On 9 July 2020, Petitioner was issued BUPERS order: 1910 with required obligated service to September 2022. At that time, reference (c) was published, authorizing a Zone B SRB with an award level of 9.0 (\$100,000 award ceiling) for the MMN(SS)/N15S rate/NEC. On 28 October 2020, Petitioner signed an agreement to extend enlistment for 2 months to meet the OBLISERV. The Board concluded that Petitioner should have been advised to reenlist vice sign an agreement to extend enlistment. On 26 October 2019, Petitioner would have been eligible to reenlist for 5 years and receive a Zone B SRB. Furthermore, Petitioner would have been eligible to transfer his education benefits to his dependents. Finally, in accordance with reference (b), Petitioner would have been eligible for CONSUBPAY in conjunction with this reenlistment due to obligating for more than 14 months past the PRD of September 2022.

## RECOMMENDATION

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

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

Petitioner's 2-month agreement to extend enlistment (NAVPERS 1070/621) executed on 28 October 2020 is null and void.

Petitioner's 15-month agreement to extend enlistment (NAVPERS 1070/621) executed on 26 January 2022 is null and void.

Petitioner was discharged 25 October 2019 and reenlisted on 26 October 2019 for a term of 5 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of "9.0" (\$100,000 award ceiling) for the MMN(SS)/N15S rate/NEC. Remaining obligated service to 14 July 2022 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align the transfer education benefits and CONSUBPAY with the 26 October 2019 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.

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.

11/1/2023

