



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

██████████  
Docket No. 8323-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN,  
XXX-XX-██████

Ref: (a) Title 10 U.S.C. § 1552  
(b) FY21 SRB Award Plan (N13SRB 003/FY21), 19 Feb 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 cancel operative/non-operative extension and show Petitioner reenlisted on 28 June 2021 for 4 years and was eligible for and received a Selective Reenlistment Bonus (SRB), and that Petitioner's eligibility to transfer education benefits to his dependents was restored.

2. The Board, consisting of ██████████, ██████████, and ██████████ 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. On 27 May 2015, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 26 May 2019 and Soft EAOS (SEAOS) of 26 May 2021; "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 canceled, 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 canceled whether or not I complete Nuclear Power or Advanced Training."

b. On 8 August 2015, Petitioner got married. On 7 June 2017, Petitioner's first child was born.

c. On 1 August 2017, Petitioner transferred from ██████████ and arrived to ██████████ on 31 August 2017 for duty.

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d. On 28 March 2018, Petitioner reenlisted for 6 years with an EAOS of 27 March 2024 and received a Zone A SRB.

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

f. On 17 January 2020, Petitioner's second child was born.

g. In January 2021, Petitioner was awarded NEC N33Z.

h. On 17 February 2021, Petitioner was issued official change duty orders (BUPERS order: [REDACTED]) with required obligated service to December 2024, while stationed in [REDACTED] with an effective date of departure of August 2021. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instructions with an effective date of arrival of 20 September 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 11 December 2021 with a Projected Rotation Date of December 2024. Obligated service to December 2024 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. 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. OBLISERV must be obtained within 30 days of these orders and prior to transfer.

i. In accordance with reference (b), 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.

j. On 27 May 2021, Petitioner entered Zone B.

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

l. On 10 December 2021, Petitioner's Master Military Pay Account shows that Petitioner's Submarine Pay stopped.

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

n. On 23 October 2023, Petitioner's Benefits for Education Administrative Service Tool listed no dependents.

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.

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XXX-XX-[REDACTED]

The Board concluded that on 17 February 2021, Petitioner was issued official change duty orders (BUPERS order: 0481) with required obligated service to December 2024. The Board found no evidence that Petitioner met the obligated service within 30 days. On 27 May 2021, Petitioner entered Zone B. At that time, a Zone B SRB was authorized in accordance with reference (b). On 28 June 2021, Petitioner would have been eligible to reenlist for 4 years and receive a Zone B SRB. Furthermore, he 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 was discharged on 27 June 2021 and reenlisted on 28 June 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 27 March 2024 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align the transfer education benefits with the 28 June 2021 reenlistment. Furthermore, that any other entries affected by the Board's recommendation be corrected. [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.

11/3/2023

