



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

██████████
Docket No. 8505-23
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 272/19, 2 Dec 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 Petitioner reenlisted on 3 January 2020 for 4 years and was eligible for and received a Selective Reenlistment Bonus (SRB).

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 9 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 19 November 2013, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 18 November 2017 and Soft EAOS (SEAOS) of 18 November 2019; "Training in the six-year obligor program for NF rating per current directives. I understand that this extension becomes binding upon execution, and may not be cancelled, except for as set forth in MILSPERSMAN article 1160-040."

b. On 9 March 2016, Petitioner transferred from ██████████ and arrived to ██████████ on 9 March 2016 for duty.

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[REDACTED]

c. On 3 August 2016, Petitioner reenlisted for 6 years with an EAOS of 2 August 2022 and received a Zone A SRB.

d. In December 2017, Petitioner was awarded Navy Enlisted Classification (NEC) N14S.

e. On 10 June 2019, Petitioner got married.

f. In October 2019, Petitioner was awarded NEC N33Z.

g. On 19 November 2019, Petitioner entered Zone B.

h. In accordance with reference (b), this NAVADMIN announced revised SRB award levels and reenlistment policy for Active Duty and Full Time Support, updates to the pay for performance pilot (a Sailor 2025 initiative) and changes to how future SRB award levels will be announced. SRB award levels and reenlistment policy listed in this NAVADMIN superseded those contained in NAVADMIN 129/19. Sailors must have reenlisted within 270-days of their EAOS, except in the following cases: Nuclear-trained Sailors. Sailors who must obligate service (OBLISERV) to execute a permanent change of station move were allowed to reenlist early any time within 1 Calendar Year of the detachment month, but not later than the date of detachment from the last intermediate duty station. 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 may contact 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 7.0 (\$100,000 award ceiling) for the EMN(SS)/N14S rate/NEC was authorized.

i. On 25 February 2020, Petitioner was issued official change duty orders (BUPERS order: 0560) with required obligated service to January 2024, while stationed in [REDACTED] [REDACTED] with an effective date of departure of August 2020. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 21 September 2020. Petitioner's ultimate activity was [REDACTED] [REDACTED] for duty with an effective date of arrival of 9 January 2021 with a Projected Rotation Date of January 2024.

j. On 5 August 2020, Petitioner signed an agreement to extend enlistment for 17 months with a SEAOS of 2 January 2024 in order to incur obligated service to execute BUPERS order 0560.

k. On 14 August 2020, Petitioner's Master Military Pay Account shows that Petitioner's Submarine Pay stopped.

l. On 14 August 2020, Petitioner transferred from [REDACTED], and arrived to [REDACTED] [REDACTED] on 21 September 2020 for temporary duty.

m. In December 2020, Petitioner was awarded [REDACTED].

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[REDACTED]

- n. On 9 January 2021, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 9 January 2021 for duty.
- o. In February 2021, Petitioner was awarded NEC 805A.
- p. On 22 February 2021, Petitioner's first child was born.
- q. On 2 October 2023, Petitioner was issued official separation orders (BUPERS order: 2753) while stationed in [REDACTED] with an effective date of departure of December 2022. Petitioner's place elected for travel: [REDACTED] with an effective date of separation of 2 January 2024.
- r. On 1 November 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. On 19 November 2019, Petitioner entered Zone B. On 2 December 2019, reference (b) was published and authorized a Zone B SRB. The Board concluded that Petitioner should have been advised to reenlist upon entering Zone B. On 3 January 2020, 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, if he so chooses.

RECOMMENDATION

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

Petitioner's 17-month agreement to extend enlistment (NAVPERS 1070/621) executed on 5 August 2020 is null and void.

Petitioner was discharged on 2 January 2020 and reenlisted on 3 January 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 EMN(SS)/N14S rating/NEC. Remaining obligated service to 2 August 2022 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align the transfer his education with the 3 January 2020 reenlistment, at Petitioner's request. Furthermore, that any other entries affected by the Board's

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[REDACTED]

recommendation be corrected. Contact Assistant Nuclear Enlisted Program Manager, [REDACTED]
[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.

11/17/2023

[REDACTED]