



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

[REDACTED]
Docket No. 5398-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1900.8E
(c) OPNAVINST 1160.9A

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by NPPSC, 23 May 24
(3) Advisory Opinion by OPNAV (N133D), 30 Apr 24
(4) 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 reflect earned Navy Enlisted Classification (NEC) codes in Block 11 of his Certificate of Release or Discharge from Active Duty (DD Form 214). Additionally, Petitioner request bonus debt forgiveness due to medical discharge and his understanding of the terms of receiving the full enlistment bonus.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 11 July 2024 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 23 March 2018, Petitioner enlisted in the Naval Reserve for a term of 8 years of which 4 years was considered an active duty obligation. NAVCRUIT 1133/52, Enlistment Guarantees – Annex "A" listed Nuclear Field (NF 6YO) Program that required a voluntary extension of 24 months to meet the rating, school, and program guarantee active duty obligation requirement. Annex "A" also guaranteed Enlistment Bonus for Source Rate (EBSR) - \$35,000 Bonus; Enlistment Bonus for RTC PFA (EBPFA) - \$2,000 Bonus; and Enlistment Bonus for College Credit (EBCC) - \$3,000 Bonus. Active Duty Service Date: 8 October 2019.

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b. On 10 September 2019, Petitioner signed NAVCRUIT 1133/102, Enlistment Bonus Statement of Understanding indicating, “I understand that I must remain fully qualified for the program/rating in which I am enlisting throughout the entire term of my initial enlistment to include the time prior to receipt of my enlist bonus. Failure to maintain all eligibility requirements at any point during this enlistment could result in either voiding my EBSR entitlement or in recoupment of monies that have already been paid to me.”

c. On 8 October 2019, Petitioner entered active duty.

d. On 3 December 2019, Petitioner’s Master Military Pay Account (MMPA) reflects enlistment bonus in the amount of \$5,000 was processed for payment.

e. On 7 December 2019, Petitioner completed [REDACTED], detached [REDACTED] and reported to Nuclear Field “A” School for duty under instruction.

f. On 30 July 2020, Petitioner completed Nuclear Field Class “A” School Electrician’s Mate.

g. On 9 March 2021, Petitioner’s MMPA reflects enlistment bonus in the amount of \$11,550 was processed for payment.

h. On 10 March 2021, Petitioner detached Nuclear Field “A” School and reported to [REDACTED] on 11 March 2021 for duty under instruction.

i. On 19 July 2021, Petitioner completed Nuclear Propulsion Plant Operator – Electrical course and awarded NEC N14O.

j. On 15 September 2021, Petitioner’s MMPA reflects enlistment bonus in the amount of \$23,450 was processed for payment.

k. On 16 December 2021, Petitioner detached Nuclear Power Training Unit, [REDACTED] and reported to his first permanent duty station onboard the [REDACTED] on 21 January 2022.

l. On 1 March 2022, Petitioner issued the Submarine Nuclear Propulsion Plant Operator – Special Category NEC N59X.

m. On 31 March 2022, Petitioner detached [REDACTED] and reported to the [REDACTED] for duty.

n. On 12 October 2022, Petitioner issued BUPERS Order: [REDACTED] (Official Separation Orders) with a Separation Program Designator (SPD) of “JFV” and effective date of separation on 10 November 2022. On 19 October 2022, Petitioner reported to Transient Personnel Unit for temporary duty pending separation.

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o. On 23 November 2022, Petitioner issued BUPERS Order: [REDACTED] (Official Modification to Separation Orders) with a SPD of “JFV” and effective date of separation on 6 December 2022.

p. On 6 December 2022, Petitioner honorably discharged and issued a DD Form 214 with Separation Code of JFV, Reentry Code of RE-4, and Narrative Reason for Separation: Condition, Not a Disability.

q. On 27 December 2022, Petitioner’s MMPA reflects bonus recoupment in the amount of \$8,361.12; however, Petitioner sold 51.0 days of leave that was applied to the bonus debt, leaving him a debt balance of \$4,488.72.

r. In the advisory opinions, attached as enclosures (2) and (3), the offices having cognizance over the subject matter addressed in Petitioner’s application has commented to the effect that the request warrants partial favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an error warranting the following corrective action. The Board concluded Petitioner’s NEC should be annotated on his DD Form 214 in accordance with reference (b).¹ However, the Board determined Petitioner’s discharge did not meet the criteria outlined in reference (c)² to keep the unearned portion of the EBSR. Therefore, the Board determined that under these circumstances, partial relief is warranted.

RECOMMENDATION

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

Petitioner’s DD Form 214 is amended to reflect Block 11 (Primary Specialty) “N14O Submarine Nuclear Propulsion Plant Operator – Electrical 01YRS 04MOS” vice “EMN 000 0YRS 0MOS.” Note: Navy Personnel Command is authorized to correct any other entries affected by the Board’s recommendation and will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

The part of Petitioner’s request for corrective action that exceeds the foregoing is denied in accordance with reference (c).

That a copy of this report of proceedings be filed in Petitioner’s naval record.

¹ Block 11 of the DD Form 214 for enlisted personnel shall contain the primary NEC code, title in all capital letters, and years and months in specialty. The NEC will be the latest primary NEC assignment recorded in the Service member’s electronic service record. Enter additional secondary NECs and titles held for periods of 1 year or more.

² Specifies that repayment of the unearned portion of the bonus will not be sought when a member fails to complete an enlistment bonus contract in circumstances that include injury or illness, not due to misconduct, that results in separation or retirement for disability under Title 10, U.S. Code, chapter 61.

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That no further changes be made to 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.

7/25/2024

