



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

██████████
Docket No. 8995-23
Ref: Signature Date

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████████████████████
████████████████████

Dear ██████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 27 June 2024, subsequent to the Board's denial of docket no. 585-24 on 25 April 2024 as requested. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in in Navy Pay and Personnel Support Center memorandum 7220 N1 of 10 May 2024 and your response to the opinion.

You requested to retain the Nuclear Officer Accession Bonus (NOAB). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you did not meet the eligibility criteria to retain the NOAB in accordance with Chief of Naval Operations Instruction (OPNAVINST) 7220.11H. The policy outlines the reasons recoupment of the bonus already paid will not be required. Specifically, germane to your situation, "Disability not the result of misconduct or willful neglect, and not incurred during a period of unauthorized absence."

A review of your records indicates on 22 April 2021, you signed Application of NOAB acknowledging "I understand that should I fail to commence or satisfactorily complete nuclear propulsion training, such money received as [NOAB] is subject to recoupment as specified in reference (a) [OPNAVINST 7220.11]" and entered active duty. On 12 July 2021, the NOAB was processed for payment. Thereafter, on 18 August 2022, you were disenrolled from accession training due to "Attrite – Not Physically Qualified" and on 23 January 2023, you were

issued NAVPERS 1910/31, Administrative Separation Processing Notice for "Disposition of Personnel Disenrolled from a Navy Office Candidate Program;" you acknowledged receipt of the notice on 24 January 2023. On 30 January 2023, Deputy Chief of Naval Operations (N133C) concurred with cancelling your [REDACTED] contract and discharge. Navy Recruiting Command advised [REDACTED] on 3 February 2023, that you were released from the [REDACTED] program and the United States Navy. You honorably discharged on 10 February 2023 with a separation code of JFW – Failed Medical/Physical Procurement Standards. This reason for discharge is not a result of a disability. Therefore, in this connection, the Board substantially concurred with the comments contained in the advisory opinion and determined a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely, _____

7/12/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]