



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

[REDACTED]
Docket No. 2568-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 272/19, 2 Dec 19
(c) NAVADMIN 108/20, 15 Apr 20
(d) FY20 SRB Award Plan (N13SRB 003/FY20), 30 Apr 20

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 that Petitioner reenlisted on 24 July 2020 for 4 years, was eligible for and received a Zone B Selective Reenlistment Bonus (SRB) and was eligible to transfer his education benefits.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 June 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. 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 10 July 2014, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 9 July 2018 and Soft EAOS (SEAOS) of 9 July 2020; "Training in the nuclear field. MILPERSMAN 1530-030 and MILPERSMAN 1306-500, 1306-502, and 1306-504 (NF) are governing directives. Advancement to rate and grade per MILPERSMAN 1430.010. I understand that this extension of active service becomes binding upon execution, and thereafter may not be cancelled, except as set forth in MILPERSMAN 1160-040 and 1510-030. 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."

b. On 19 September 2014, Petitioner got married. On 10 October 2014, Petitioner's dependent child was born.

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

- c. In July 2016, Petitioner was awarded Navy Enlisted Classification (NEC) N150.
- d. On 29 August 2016, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 29 August 2016 for duty.
- e. On 17 March 2017 Petitioner reenlisted for 6 years with an EAOS of 16 March 2023 and received a Zone A SRB.
- f. 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. Furthermore, a Zone "B" SRB with an award level of 9.0 (\$100,000 award ceiling) for the MMN(SS)/N150 rate/NEC was authorized.
- g. On 27 January 2020, Petitioner was issued official change duty orders (BUPERS order: 0270) with required obligated service to December 2023, while stationed in [REDACTED] with an effective date of departure of July 2020. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 24 August 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 12 December 2020 with a Projected Rotation Date of December 2023. Obligated service to December 2023, 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.
- h. In accordance with reference (c), this NAVADMIN announced revised SRB policy for Active Component and Full Time Support, superseding NAVADMIN 272/19. Sailors must now have reenlisted within 365 days of their EAOS (as opposed to 270 days required in NAVADMIN 272/19), except in the case of Nuclear-trained Sailors who could have reenlisted at any point in the reenlistment zone, per guidance in OPNAVINST 1160.8B.
- i. In accordance with reference (d), FY20 SRB Award Plan (N13SRB 003/FY20), a Zone "B" SRB with an award level of 8.5 (\$100,000 award ceiling) for the MMN(SS)/N150/S, rate/NEC was listed.
- j. On 10 July 2020, Petitioner entered Zone B.
- k. On 24 July 2020, Petitioner's Master Military Pay Account shows that Petitioner's Submarine Pay stopped.
- l. On 24 July 2020, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 31 August 2020 for temporary duty.
- m. On 1 September 2020, Navy Standard Integrated Personnel System (NSIPS)/Electronic

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

Service Record (ESR) shows a 9-month agreement to extend enlistment with an SEAOS of 16 December 2023.

n. On 12 December 2020, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 12 December 2020 for duty.

o. On 30 May 2023, NSIPS/ESR shows a 3-month agreement to extend enlistment with an SEAOS of 16 March 2024.

p. On 25 October 2023, Petitioner signed an agreement to extend enlistment for 5 months with a SEAOS of 16 August 2024 in order to obtain medical care due to pregnancy with a projected delivery date of June 2024.

q. On 23 February 2024, Petitioner was issued official change duty orders (BUPERS order: 0544) while stationed in [REDACTED] with an effective date of departure of May 2024. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 6 May 2024 with a Projected Rotation Date of August 2024.

r. On 23 May 2024, Petitioner was issued official separation orders (BUPERS order: 1444), while stationed in [REDACTED] with an effective date of departure of June 2024. Petitioner's place elected for travel is [REDACTED] with an effective date of separation of 16 August 2024.

s. On 3 May 2024, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 3 May 2024 for duty.

t. On 13 June 2024, Petitioner's Benefits for Education Administrative Service Tool listed no dependents.

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 27 January 2020, Petitioner was issued BUPERS order: 0270 with required obligated service to December 2023. At that time, a Zone B SRB was authorized in accordance with reference (b), however Petitioner was still in Zone A. On 10 July 2020, Petitioner entered Zone B. On 1 September 2020, NSIPS/ESR shows a 9-month agreement to extend enlistment to meet the OBLISERV. The Board determined that Petitioner could have reenlisted upon entering Zone B in accordance with reference (c). On 24 July 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.

RECOMMENDATION

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

Petitioner's 9-month agreement to extend enlistment (NAVPERS 1070/621) operative on 17 March 2023 is null and void.

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

Petitioner's 3-month agreement to extend enlistment (NAVPERS 1070/621) operative on 17 December 2023 is null and void.

Petitioner's 5-month agreement to extend enlistment (NAVPERS 1070/621) executed on 25 October 2023 is null and void.

Petitioner was discharged 23 July 2020 and reenlisted on 24 July 2020 for a term of 4 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of "8.5" (\$100,000 award ceiling) for the MMN(SS)/N15O, rating/NEC. Remaining obligated service to 16 March 2023 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align transfer of education benefits with the 24 July 2020 reenlistment. Furthermore, that any other entries affected by the Board's recommendation be corrected.

The Board for Correction of Naval Records (BCNR) will not take any action with the Defense Finance and Accounting Service (DFAS) for the SRB payment. Petitioner's SRB payment will not be funded by the BCNR's Claims Line of Accounting (LOA). [REDACTED] at N133D has secured funding via unexecuted SRB funds and will use their LOA to pay the SRB payment, and will coordinate directly with the DFAS to determine Petitioner's incentive. Contact the 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.

6/20/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]