



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

██████████
Docket No. 2692-24
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 129/19, 11 Jun 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 21 June 2020 for 4 years and was eligible for and received a Zone B Selective Reenlistment Bonus (SRB).

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 21 May 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 12 March 2014, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 11 March 2018 and Soft EAOS (SEAOS) of 11 March 2020; "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 cancelled, 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 cancelled whether or not I complete Nuclear Power or Advanced Training."

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

b. In March 2016, Petitioner was awarded Navy Enlisted Classification (NEC) N25O.

c. On 14 April 2016, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 20 May 2016.

d. On 21 December 2016, Petitioner reenlisted for 6 years with an EAOS of 20 December 2022 and received a Zone A SRB.

e. 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. 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 5.5 (\$100,000 award ceiling) for the MMN(SW)/N25O rate/NEC was authorized.

f. On 8 October 2019, Petitioner was issued official change duty orders (BUPERS order: 2819) with required obligated service to May 2023, while stationed in [REDACTED] with an effective date of departure of April 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 15 May 2020 with a Projected Rotation Date (PRD) of May 2023.

g. On 12 March 2020, Petitioner entered Zone B.

h. On 8 April 2020, Petitioner was issued official modification to change duty orders [REDACTED] with required obligated service to July 2023, while stationed in [REDACTED] with an effective date of departure of June 2020. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 15 July 2020 with a PRD of July 2023.

i. 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.

j. In accordance with reference (d), FY20 SRB Award Plan (N13SRB 003/FY20), a Zone "B" SRB with an award level of 5.5 (\$100,000 award ceiling) for the MMN(SW)/N25O/S rate/NEC was listed.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

k. On 1 May 2020, Petitioner was issued official modification to change duty orders [REDACTED] while stationed in [REDACTED] with an effective date of departure of July 2020. Petitioner's ultimate activity was [REDACTED] [REDACTED] for duty with an effective date of arrival of 15 August 2020 with a PRD of August 2023.

l. On 2 July 2020, Petitioner was issued official modification to change duty orders [REDACTED] while stationed in [REDACTED] with an effective date of departure of July 2020. Petitioner's ultimate activity was MARMC [REDACTED] for duty with an effective date of arrival of 15 August 2020 with a PRD of August 2023.

m. On 23 October 2020, Petitioner was issued official modification to change duty orders [REDACTED] with required obligated service to December 2023, while stationed in [REDACTED] with an effective date of departure of November 2020. Petitioner's ultimate activity was [REDACTED] [REDACTED] for duty with an effective date of arrival of 15 December 2020 with a PRD of December 2023.

n. On 16 December 2020, Petitioner was issued official modification to change duty orders [REDACTED] with required obligated service to June 2024, while stationed in [REDACTED] [REDACTED] with an effective date of departure of May 2021. Petitioner's ultimate activity was [REDACTED] CA for duty with an effective date of arrival of 15 June 2020 with a PRD of June 2024.

o. On 14 July 2021, Navy Standard Integrated Personnel System (NSIPS)/Electronic Service Record (ESR) shows an 18-month agreement to extend enlistment with an SEAOS of 20 June 2024.

p. On 15 July 2021, Petitioner transferred from [REDACTED], and arrived to [REDACTED] [REDACTED] 16 July 2021 for duty.

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 8 October 2019, Petitioner was issued [REDACTED] [REDACTED] with required obligated service to May 2023. At that time, a Zone B SRB was authorized in accordance with reference (b), however Petitioner was still in Zone A. On 12 March 2020, Petitioner entered Zone B. On 16 December 2020, Petitioner was issued official modification to BUPERS order: 2819 with required obligated service to June 2024. On 14 July 2021, NSIPS/ESR shows an 18-month agreement to extend enlistment to meet the OBLISERV. The Board determined that Petitioner should have been advised to reenlist after entering Zone B. On 21 June 2020, Petitioner would have been eligible to reenlist for 4 years and receive a Zone B SRB.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

RECOMMENDATION

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

Petitioner's 18-month agreement to extend enlistment (NAVPERS 1070/621) operative on 21 December 2022 is null and void.

Petitioner was discharged 20 June 2020 and reenlisted on 21 June 2020 for a term of 4 years.

Note: This change will entitle Petitioner to a Zone "B" SRB with an award level of "5.5" (\$100,000 award ceiling) for the MMN(SW)/N25O, rating/NEC. Remaining obligated service to 20 December 2022 will be deducted from SRB computation. 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] [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.

5/25/2024

[REDACTED]