



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

██████████
Docket No. 3092-24
Ref: Signature Date

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

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 4 June 2024. 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 Office of the Chief of Naval Operations memorandum 1533 Ser N133D/418 of 28 September 2023.

On 18 March 2014, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 17 March 2018 and Soft EAOS (SEAOS) of 17 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."

On 26 August 2016, you transferred from ██████████, and arrived to ██████████ on 14 September 2016 for duty. In September 2016, Petitioner was awarded Navy Enlisted Classification (NEC) N140. On 19 May 2017, you reenlisted for 6 years with an EAOS of 18 May 2023 and received a Zone A SRB.

In accordance with NAVADMIN 272/19 published on 2 December 2019, 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: a. Nuclear-trained Sailors. b. 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.

In accordance with FY20 SRB Award Plan (N13SRB 001/FY20) published on 2 December 2019, a Zone “B” SRB with an award level of 7.0 (\$100,000 award ceiling) for the EMN(SS)/N14O/S rate/NEC was listed.

In accordance with FY20 SRB Award Plan (N13SRB 002/FY20) published on 12 March 2020, a Zone “B” SRB with an award level of 7.0 (\$100,000 award ceiling) for the EMN(SS)/N14O/S rate/NEC was listed.

On 18 March 2020, you entered Zone B.

On 21 April 2020, you were issued official change duty orders (BUPERS order: 1120) with required obligated service to October 2023, while stationed in ██████████ with an effective date of departure of September 2020. Your ultimate activity was ██████████ for duty with an effective date of arrival of 14 October 2020 with a projected rotation date (PRD) of October 2023. Obligated service to October 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.

On 31 August 2020, you were issued official modification to change duty orders (BUPERS order: 1120) with required obligated service to October 2023, while stationed in ██████████ with an effective date of departure of September 2020. Your ultimate activity was ██████████ for duty with an effective date of arrival of 14 October 2020 with a PRD of October 2023. Obligated service to October 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.

On 14 September 2020, you signed an agreement to extend enlistment for 5 months with an SEAOS of 18 October 2023 in order to incur sufficient obligated service to execute BUPERS order 1120.

On 14 September 2020, your Master Military Pay Account shows that your Submarine Pay stopped. On 14 September 2020, you transferred from ██████████, and arrived to ██████████ on 14 October 2020 for duty. On 20 April 2023, you signed an agreement to extend enlistment for 5 months with an SEAOS of 18 March 2024 in order to match EAOS with PRD. In August 2023, you were awarded NEC N59X.

On 18 January 2024, you were issued official separation orders (BUPERS order: 0184) while stationed █ with an effective date of departure of March 2024. Your place elected for travel: █ with an actual date of separation of 18 March 2024.

You were discharged with an honorable character of service and were issued a DD Form 214, Certificate of Release or Discharge from Active Duty for the period of 18 March 2014 to 18 March 2024 upon completion of required active service. Signed by authorized Official on 18 January 2024.

You requested to cancel operative/non-operative extension and show that you reenlisted on 19 March 2020 for 4 years and was eligible for and received a Zone B SRB, 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 your requested reenlistment date is nearly 3 years prior to the EAOS of 18 May 2023. In accordance with OPNAVINST 1160.8B, when reenlisting for SRB, members who hold a nuclear propulsion plant operator or supervisor NEC are not restricted by fiscal year. However, the Board could not find authorization allowing reenlistment 3 fiscal years early. Additionally, NAVADMIN 272/19 states that 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. On 19 March 2020, you were more than 3 years short of your EAOS and you were not in receipt of orders with an OBLISERV. The Board determined that although your requested reenlistment date is after you entered Zone B, you were not eligible to reenlist early for SRB, therefore no change to your record is warranted. In this connection, the Board substantially disagreed with the comments contained in the advisory opinion.

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,

6/10/2024

