

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 3834-24 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO , USN,

XXX-XX-

Ref: (a) Title 10 U.S.C. § 1552

(b) NAVADMIN 108/20, 15 Apr 20

(c) FY22 SRB Award Plan (N13SRB 002/FY22), 13 May 22

(d) FY22 SRB Award Plan (N13 SRB 005/FY22), 23 Sep 22

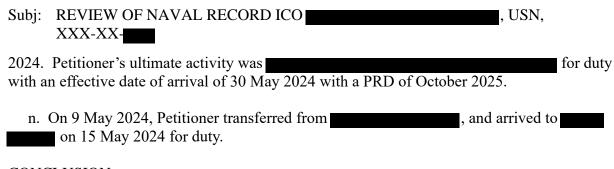
Encl: (1) DD Form 149 w/attachments

(2) Advisory opinion by

(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 12 October 2022 for 4 years, was eligible for and received a Zone B Selective Reenlistment Bonus (SRB).
- 2. The Board, consisting of particles, 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 14 September 2016, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 13 September 2020 and Soft EAOS (SEAOS) of 13 September 2022; "[t]raining in the Nuclear Program, and advancement to E-4, per MILPERSMAN 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 1160-040. In particular, I understand that, when I accept advancement to E-4, 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 , USN, XXX-XX-
b.	In August 2018, Petitioner was awarded Navy Enlisted Classification (NEC) N24O.
c.	On 7 August 2018, Petitioner transferred from on 23 August 2018 for duty.
	On 16 November 2018, Petitioner reenlisted for 6 years with an EAOS of 15 November and received a Zone A SRB.
Active have re 272/19	In accordance with reference (b), this NAVADMIN announced revised SRB policy for a Component and Full Time Support, superseding NAVADMIN 272/19. Sailors must now eenlisted within 365 days of their EAOS (as opposed to 270 days required in NAVADMIN D), except in the case of Nuclear-trained Sailors who could have reenlisted at any point in enlistment zone, per guidance in OPNAVINST 1160.8B.
f. 1	n January 2022 Petitioner was awarded NEC N24S.
"B" SI	In accordance with reference (c), FY22 SRB Award Plan (N13SRB 002/FY22), a Zone RB with an award level of 8.5 (\$100,000 award ceiling) for the EMN(SW)/N24O/S, EC was listed.
with reultima 12 Oct Octobe extens bonus	On 25 May 2022, Petitioner was issued official change duty orders (BUPERS order: equired obligated service to October 2025, while stationed in with an effective date of departure of September 2022. Petitioner's to activity was for duty with an effective date of arrival of tober 2022 with a Projected Rotation Date (PRD) of October 2025. Obligated service to er 2025, is required for this assignment which may be satisfied by reenlistment or ion of enlistment. Circumstances such as potential monetary loss under critical skills or SRB, refer to MILPERSMAN 1306-106 para 4. Use of NAVPERS 1070/613 only ized for SRB eligible sailors.
Servic	On 11 July 2022, Navy Standard Integrated Personnel System (NSIPS)/Electronic e Record (ESR) shows an 11-month agreement to extend enlistment with an SEAOS of tober 2024.
j. (	On 12 September 2022, Petitioner transferred from and arrived to on 12 October 2022, Petitioner for duty.
k.	On 14 September 2022, Petitioner entered Zone B.
"B" Sl	In accordance with reference (d), FY22 SRB Award Plan (N13 SRB 005/FY22), a Zone RB with an award level of 8.5 (\$100,000 award ceiling) for the EMN(SW)/N24O/S, EC was listed.
	On 4 April 2024, Petitioner was issued official change duty orders (BUPERS order: while stationed in with an effective date of departure of May



## **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 25 May 2022, Petitioner was issued BUPERS order: with required obligated service to October 2025. At that time, a Zone B SRB was authorized in accordance with reference (c), however Petitioner was still in Zone A. On 11 July 2022, NSIPS/ESR shows an 11-month agreement to extend enlistment to meet the OBLISERV. On 14 September 2022, Petitioner entered Zone B. The Board determined that Petitioner should have signed a NAVPERS 1070/613 vice extension of enlistment. On 12 October 2022, Petitioner would have been eligible to reenlist for 4 years and receive a Zone B SRB.

## RECOMMENDATION

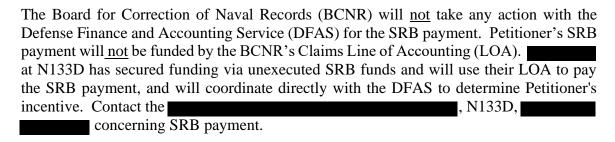
That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's 11-month agreement to extend enlistment (NAVPERS 1070/621) operative on 16 November 2024 is null and void.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 11 July 2022 agreeing to extend enlistment for 11 months for OBLISERV to October 2025.

Petitioner was discharged 11 October 2022 and reenlisted on 12 October 2022 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 EMN(SW)/N24S, rating/NEC. Remaining obligated service to 15 November 2024 will be deducted from SRB computation. Furthermore, that any other entries affected by the Board's recommendation be corrected.



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.

