

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 4032-24 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

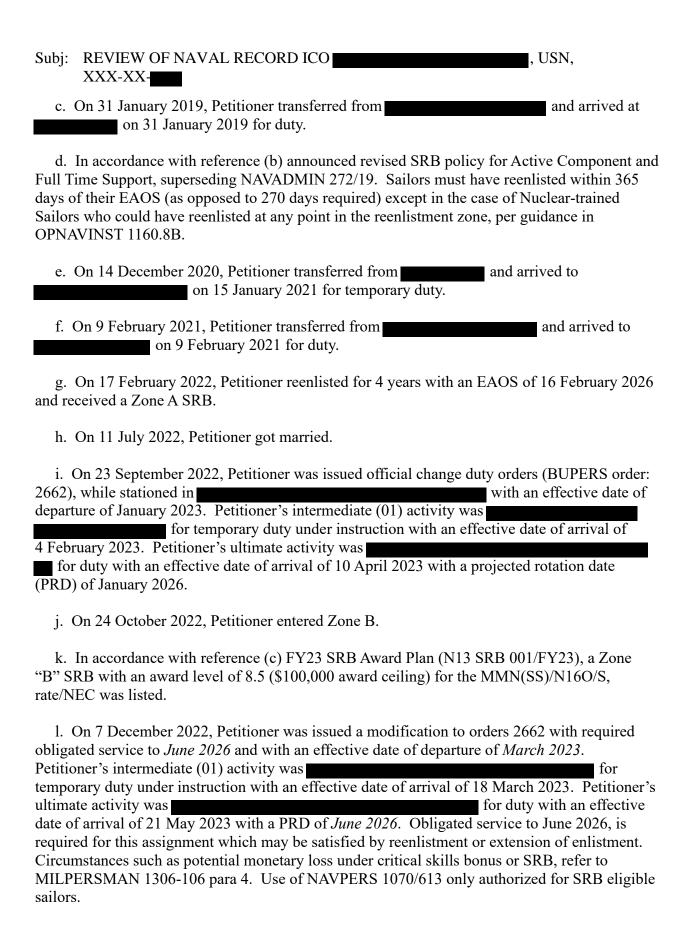
(c) FY23 SRB Award Plan (N13 SRB 001/FY23), 26 Oct 22

Encl: (1) DD Form 149 w/attachments

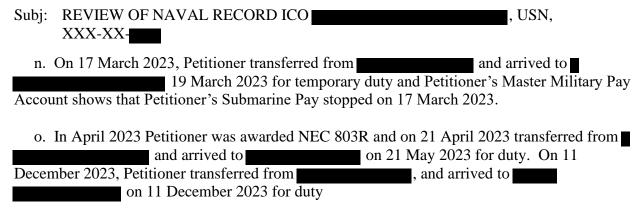
(2) Advisory opinion by OCNO N133D, 28 Sep 23

(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 28 October 2022 for 4 years, was eligible for and received a Zone B Selective Reenlistment Bonus (SRB).
- 2. The Board, consisting of property, and previewed Petitioner's allegations of error and injustice on 13 November 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 24 October 2016, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 23 October 2020 and Soft EAOS of 23 October 2022; "[t]raining in the Nuclear Field Program, and advancement to E-4 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 MILPERSMAN Article 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."
  - b. In January 2019, Petitioner was awarded Navy Enlisted Classification (NEC) N16O.



m. In January 2023 Petitioner was awarded NEC N16S.



- p. On 6 February 2024, Petitioner's dependent child was born.
- q. On 4 November 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 error warranting the following corrective action. The Board concluded that on 23 September 2022, Petitioner was issued orders 2662, entered Zone B on 24 October 2022, and issued official modification to orders 2662 on 7 December 2022 with required obligated service to June 2026. At that time, a Zone B SRB was authorized in accordance with reference (c). The Board determined that Petitioner could have reenlisted upon entering Zone B in accordance with reference (b) and would have been eligible to reenlist for 4 years and receive a Zone B SRB on 28 October 2022. Furthermore, Petitioner would have been eligible to transfer his education benefits to his dependents if he so chooses.

## RECOMMENDATION

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

Petitioner was discharged 27 October 2022 and reenlisted on 28 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 MMN(SS)/N16O, rating/NEC. Remaining obligated service to 16 February 2026 will be deducted from SRB computation. Additionally, Navy Personnel Command is authorized to align transfer of education benefits with the 28 October 2022 reenlistment upon Petitioner's request. Furthermore, that any other entries affected by the Board's recommendation be corrected.

The Board for Correction of Naval Records (BCNR) will <u>not</u> take any action with the Defense Finance and Accounting Service (DFAS) for the SRB payment. Petitioner's SRB payment will <u>not</u> be funded by the BCNR's Claims Line of Accounting (LOA). 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

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	incentive. Contact the	
	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.

