

Docket No. 4137-24 Ref: Signature Date

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

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

- Ref: (a) Title 10 U.S.C. § 1552
 (b) NAVADMIN 108/20, 15 Apr 20
 (c) FY22 SRB Award Plan (N13SRB 003/FY22), 28 Jun 22
 (d) 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 for 3 years and was eligible for and received a Zone B Selective Reenlistment Bonus (SRB) on 28 October 2022.

2. The Board, consisting of **Example**, **Example**, and **Example** reviewed 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 15 October 2015, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 14 October 2019 and Soft EAOS of 14 October 2021; "[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."

Subj: REVIEW OF NAVAL RECORD ICO

b. In March 2018, Petitioner was awarded Navy Enlisted Classification (NEC) N23O.

c. On 2 April 2018, Petitioner transferred from and arrived to and arrived to on 4 May 2018 for duty.

, USN,

d. On 10 May 2019, Petitioner reenlisted for 6 years with an EAOS of 9 May 2025 and received a Zone A SRB.

e. In accordance with reference (b) announced revised SRB policy for Active Component and Full Time Support, superseding NAVADMIN 272/19. Sailors must have reenlisted within 365 days of their EAOS (as opposed to 270 days required) 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.

f. On 15 October 2021, Petitioner entered Zone B.

g. On 15 December 2021, Petitioner was issued official change duty orders (BUPERS order:), with an effective date of departure of May 2022. Petitioner's ultimate activity was and the second second

h. In accordance with reference (c) FY22 SRB Award Plan (N13SRB 003/FY22), a Zone "B" SRB with an award level of 8.5 (\$100,000 award ceiling) for the ETN(SW)/N23O/S, rate/NEC was listed.

i. On 25 July 2022, Petitioner was issued a modification to orders with required obligated service to September 2025, with an effective date of departure of *August 2022*. Petitioner's ultimate activity was a service for the period of the p

j. On 10 August 2022, Petitioner signed an agreement to extend enlistment for 4 months with a Soft EAOS of 9 September 2025 in order to incur sufficient obligated service to execute orders and transferred from and trans

k. In accordance with reference (d) FY23 SRB Award Plan (N13 SRB 001/FY23), a Zone "B" SRB with an award level of 8.5 (\$100,000 award ceiling) for the ETN(SW)/N23O/S, rate/NEC was listed.

l. In May 2023, Petitioner was awarded NEC N23S. In June 2023 Petitioner was awarded NEC 805A.

Subj: REVIEW OF NAVAL RECORD ICO

m. On 26 June 2024, Petitioner was issued official change duty orders (BUPERS order: 1784), while stationed in the stationer of June 2024. Petitioner's ultimate activity was the statement of June 2024. Petitioner's ultimate activity was the statement of 30 June 2024 with a PRD of September 2025 and transferred from the statement of 30 June 2024 and arrived to on 30 June 2024 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 error warranting the following corrective action. The Board concluded that on 15 October 2021, Petitioner entered Zone B. On 25 July 2022, Petitioner was issued official modification to orders 3491 with required obligated service to September 2025. At that time, a Zone B SRB was authorized in accordance with reference (c). On 10 August 2022, Petitioner signed an agreement to extend enlistment for 4 months to meet the obligated service. The Board determined that Petitioner should have signed a NAVPERS 1070/613 vice extension of enlistment and would have been eligible to reenlist for 3 years and receive a Zone B SRB on 28 October 2022.

RECOMMENDATION

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

Petitioner's 4-month agreement to extend enlistment (NAVPERS 1070/621) executed on 10 August 2022 is null and void.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 10 August 2022 agreeing to extend enlistment for 4 months for obligated service to September 2025.

Petitioner was discharged 27 October 2022 and reenlisted on 28 October 2022 for a term of 3 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 ETN(SW)/N23O, rating/NEC. Remaining obligated service to 9 May 2025 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 <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 incentive. Contact the Assistant Nuclear Enlisted Program Manager, N133D, _______, _____, _______.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

, USN,

Subj: REVIEW OF NAVAL RECORD ICO XXX-XX-

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.

