



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

██████████  
Docket No. 11082-24  
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 10 April 2025. 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 Commanding Officer, Navy Pay and Personnel Support Center memorandum 7220 N1 of 26 November 2024, which was previously provided to you for comment.

In accordance with OPNAVINST 1160.8A published on 30 January 2007 that "Recoupment. Chapter 9, paragraph 0905 of reference (d) [DoD FMR, Volume 7A] lists specific circumstances requiring the recoupment of SRB. Situations requiring recoupment include, but are not limited to, the following: ...Pro-rata recoupment of the unearned portions of an SRB is required when the member: (1) Loses qualification in the bonus skill (i-e., removal of NEC or rating designator), except when the loss of qualification results solely from pregnancy. (2) Voluntarily or for reasons of misconduct as specified in paragraph 0905 of reference (d) does not complete the enlistment. (3) Is separated for disability resulting from misconduct, willful neglect, or incurred during a period of unauthorized absence. (4) Is not eligible to reenlist because of failed PRT; is discharged after refusing a forced conversion; is discharged due to parenthood; or is discharged for other reasons as determined by higher authority. A waiver will not normally be considered for the reasons listed in this paragraph.

If a member becomes ineligible for an SRB for any of the reasons below, payments will stop, but recoupment of payments already received will not be required: (1) Disability, injury, or

illness not the result of misconduct or willful neglect or not incurred during a period of unauthorized absence. (2) Separation from naval service by operation of laws or regulations independent of misconduct. (3) Death (see subparagraph c. below). (4) Where SECNAV determines repayment would be against equity and good conscience or would be contrary to the best interests of the United States. c. The remaining SRB balance will be paid as a lump sum as part of the settlement of the member's final military pay account for: (1) Members who die while serving under an SRB contract and not due to their own misconduct. (2) Members who are separated, discharged, or transferred to the Temporary Disability Retired List (TDRL) or Permanent Disability Retired List (PDRL) as determined by a Physical Evaluation Board."

In accordance with DoD 7000.14-R FMF Volume 7A, Chapter 2, "Conditions Under Which Repayment Will Be Sought 3.1.1. When the conditions of a written agreement are not fulfilled and repayment is determined appropriate, the member will be required to repay the United States the unearned portion of a pay or benefit. In cases other than death of a member, the Secretary of the Military Department concerned will advise DFAS of the disposition of any unearned portion of a pay or benefit. ...Repayment will be sought, and any unpaid balances may not be paid to members who incur a disability because of their misconduct."

Conditions Under Which Repayment Will Not Be Sought. As a general rule, repayment action may not be pursued in situations in which the member's inability to fulfill specified service conditions related to pay or benefit is due to circumstances determined reasonably beyond the member's control. Payment of any unpaid portion of pay or benefit will be subject to the rules in Table 2-1, which in appropriate circumstances provide discretion to the Secretary of the Military Department concerned to pay unearned portions based on case-by-case determinations.

"Chapter 9. Repayment. ...For each of the bonuses described in this chapter, a member who does not complete the agreed term of service or who does not otherwise meet the conditions of service for the bonus will be subject to the repayment provisions of Chapter 2."

On 9 May 2011, you entered active duty; however, both your PEBD and ADSD were adjusted to 23 May 2011. In November 2012, you were awarded Navy Enlisted Classification (NEC) 9CMN. In January 2013, you were awarded NEC C31A. On 20 June 2016, you reenlisted for 2 years with an End of Active Obligated Service (EAOS) of 19 June 2018. On 23 May 2017, you entered Zone B. On 11 May 2018, you reenlisted for 6 years with an EAOS of 10 May 2024 and received a Zone B SRB.

In accordance with DoD Separation Program Designator (SPD) Codes for Active Service Separations listed code JPD (Alcohol Rehabilitation Failure) with the following Recoup bonus (Note 1) Bonus Recoupment – "P" – For cause separation. Members are required to repay the unearned portion of the bonus. Furthermore, code JFF (Secretarial Authority) with the following Recoup bonus (Note 1) Bonus Recoupment – "X" – Repayment will be sought or unpaid portion will not be paid, unless the Service Secretary determines, on a case-by-case basis, that repayment of the unearned portion not paying an unpaid portion of the pay would be contrary to a personnel policy or good conscience, or contrary to the best interest of the United States.

On 16 June 2021, you were issued a Record of Unauthorized Absence (NAVPERS 1070/606) with the following amplifying remarks: "Member TAD to [REDACTED] Medical Center beginning 10 Feb 21. Member UA as of 7 Jun 21 at 0730 while under care of [REDACTED] Medical Center."

On 27 July 2021, your Reporting Senior signed a Detachment of Individual/Regular Evaluation Report and Counseling Record for the period of 16 November 2020 to 23 July 2021. You received a "Significant Problems" promotion recommendation, and you were not recommended for retention. Furthermore, the following comments on performance were listed: "Evaluation submitted upon members removal of [REDACTED] [REDACTED] Assistant and transfer to [REDACTED], [REDACTED] Due to members excessive alcohol use and inability to uphold the Navy's core values of Honor, Courage and Commitment, member was returned to service and transferred to [REDACTED], [REDACTED]. Blocks 35, 36, 37, 45 and 47\* - Due to member's excessive alcohol use and inability to follow orders, member took actions counter to good order and discipline, which negatively affect Command/Organizational Climate. Member demonstrates poor self-control and fails to live up to the Navy Core Values."

On 17 September 2021, you were issued official separation orders (BUPERS order: [REDACTED]) while stationed in [REDACTED], [REDACTED], [REDACTED] with an effective date of departure of September 2021. Home of selection: HOS: deferred, with an actual date of separation of 30 September 2021.

You were discharged with an under honorable conditions (General) character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 9 May 2011 to 30 September 2021 due to Alcohol Rehabilitation Failure. Furthermore, official signed on 12 October 2021.

On 17 February 2022, Defense Finance and Accounting Service (DFAS)-IN/Debt and Claims notified you with a billing date of 17 February 2022 that Previous balance was \$0.00, Payments Received \$0.00, Adjust \$6,662.77, and Total Balance Due \$6,662.77. "Recoupment is required for the unearned portion of your (re)enlistment bonus based on your separation code JPD. Your (re)enlistment contract obligated you to perform duty through 05/10/2024 and at separation you had 953 unserved days. If you disagree with the validity or amount of your debt, please contact the Pay Office, DMPO, or AFAFO that placed you in debt and have them provide our office with proper documentation to alter or cancel your debt."

On 22 December 2022, your Master Military Pay Account (MMPA) shows the following:  
"ENTRY-OPEN-DT 210503 06 05 1 ENTRY-CLSD-DT 211020 17 10 2 CNTRL-CODE 2  
AMT-ANL-PAYMT 3,700.20 ENTLMT 37,002.00 PD-TO-DATE 29,601.60 SRB-INSTLMT-  
NR 4 SRB-MULTR 2.0 SRB-BONUS-TYPE B TOTAL-DAYS-SRB-PD 2100 RRB/SRB-  
TAX-XCLUSN-ID 1 DOE 180511 FY 18 AMT-INSTLMT-PMT 18,501.00 FY 19 AMT-  
INSTLMT-PMT 3,700.20 FY 20 AMT-INSTLMT-PMT 3,700.20 FY 21 AMT-INSTLMT-PMT  
3,700.20."

On 28 February 2023, Secretary of the Navy Council of Review Boards notified you that "[t]he review authority has given consideration to all relevant issues raised and evidence presented and

has carefully examined all available official records in connection with your application for discharge review.”

“Decision. After a thorough review of the available evidence, to include the Applicant’s issues, summary of service, medical and service record entries, and discharge process, the Board found the discharge was proper but not equitable. Therefore, the awarded characterization of service shall change to HONORABLE, the narrative reason for separation shall change to SECRETARIAL AUTHORITY with a corresponding separation code of JFF, and the reentry code shall remain RE-4. The Applicant remains eligible for a personal appearance hearing for a period of fifteen years from the date of the discharge. The Applicant is directed to the Addendum for additional information.”

You were discharged with an honorable character of service and were issued a DD Form 214 for the period of 30 September 2021 to 9 May 2011 under Secretarial Authority. Furthermore, official signed on 24 July 2023.

You requested that your record be corrected to show that your bonus did not require repayment. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that the bonus sum should not have required repayment due to corrected discharge and separation code. However, the Board concluded that on 11 May 2018, you reenlisted for 6 years and received a Zone B SRB. Your EAOS was 10 May 2024. You were discharged on 30 September 2021. In accordance with DoD 7000.14-R FMF Volume 7A, a member who does not complete the agreed term of service or who does not otherwise meet the conditions of service for the bonus will be subject to the repayment provisions of Chapter 2. You did not complete the term of enlistment for which you were paid the SRB, therefore the Board determined that repayment of the unearned portion of your SRB is appropriate, and that a change to your record is not warranted. In this connection, the Board substantially concurred 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,

4/16/2025

