



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

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Docket No. 5059-25
Ref: Signature Date

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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 23 December 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 Section Head, Special and Incentive Pay Policy memorandum 1160 Ser25U0/348 of 2 June 2025 and your response to the opinion.

On 19 September 2016, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 18 September 2020 and Soft EAOS of 18 September 2022.

In November 2016, you were awarded Navy Enlisted Classification (NEC) N91T and 9901. In October 2018, you were awarded NEC N14O.

In accordance with OPNAVINST 1160.8B published on 1 April 2019, SRB Entitlement. Entitlement to the full amount of an SRB will be contingent upon a member maintaining the technical qualification required for effective performance in the military specialty for which the bonus was awarded. A member must remain eligible for SRB in the skill for which the bonus was paid during the entire SRB contract. At the point official action is taken resulting in an SRB recipient no longer meeting technical qualification for an SRB, that member is no longer earning the bonus. If eligibility is lost, that member may be subject to recoupment of the unearned portion of SRB already received, except for situations outlined in subparagraph 16g.

Nuclear SRB Entitlement. For Sailors in the NNPP, technical qualification in the military specialty for which the bonus was awarded is defined as holding an active nuclear NEC. While a member's active nuclear NEC is replaced with an inactive nuclear NEC (3359 or 3389) they are not eligible to earn SRB bonus monies. Therefore, while a Sailor who is under an SRB contract holds an inactive NEC, all payments of SRB monies will be suspended. Adjudication of the cause for inactivation of the nuclear NEC will result in either restoration of an active nuclear NEC or disqualification from the NNPP. If an active nuclear NEC is restored, suspended payments will be released. If the member is disqualified from the NNPP, repayment may be sought as directed by paragraph 15. OPNAV (N133) will provide a bonus suspension notification letter to all NNPP members who have their SRB suspended due to an inactive NEC.

Repayment Policy. Repayment policy is governed reference (a), sections 303a and 373, and reference (e), volume 7A, chapter 2. These policies collectively determine when repayment of an unearned portion of a bonus is required, left to secretarial discretion, or prohibited. Except as provided in subparagraph 15b and 15c, a Service member who is paid SRB will be required to repay any unearned portion of the bonus in the event the Service member fails to fulfill the conditions of eligibility, service, or assignment. Receipt of a payment after having a qualifying SRB rating or NEC removed (i.e., found not medically qualified but receives an anniversary installment after determination of qualification has been removed) is an erroneous payment and will be recouped. As the program manager and per this instruction, OPNAV (N130) is delegated the authority to make these repayment determinations. However, this delegation cannot be below the O-6 or equivalent level.

On 17 April 2019, you reenlisted for 6 years with an EAOS of 16 April 2025 and received a Zone A SRB.

In September 2020, you were awarded NEC N14S.

In May 2021, you were awarded NEC N33Z.

On 30 September 2022, Navy Standard Integrated Personnel System/Electronic Service Record shows a 7-month agreement to extend enlistment with a Soft EAOS of 16 November 2025.

On 11 October 2022, you transferred from ██████████ and arrived at ██████████ on 15 November 2022 for duty.

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.

On 18 September 2024, Commanding Officer, Submarine Readiness Squadron ██████████ notified Commander, Navy Personnel Command (PERS-403) via Bureau of Medicine and Surgery (MED M3B3) that “Medical Data is forwarded for your review.

Based on the Undersea Medical Officer's (UMO) review of the available medical information per reference (a), the subject member DOES NOT meet the established physical standards for Submarine Duty due to a history of psychopharmaceutical use and adjustment disorder with depressed mood.

A limited waiver of physical standards IS recommended.”

On 22 October 2024, Force Medical Officer (N00M) ██████████ stated that “Concur with recommendation per Commanding Officer, ██████████ letter 6420 Ser N1/162 dated 18 Sep 24. Member is disqualified from SUBMARINE DUTY. Disqualification category is in "PHYSICALLY NOT QUALIFIED" category by reason of history of psychopharmaceutical use and adjustment disorder with depressed mood. Member IS NOT considered an appropriate candidate for a waiver at this time.

Member IS NOT considered an appropriate candidate for a limited pier-side waiver.”

In October 2024, you were awarded NEC N12D, NEC 774C, N59X, and 774B.

On 22 October 2024, Commander, Submarine Force Atlantic notified Commander, Submarine Readiness Squadron 32 that “[d]isqualification from submarine duty requested by reference (a) is approved in the "Physically Not Qualified" category as supported by ██████████ Memorandum of 22 Oct 24. Make appropriate entry on the enlisted service record Page 4 and ensure removal of submarine designator by appropriate diary entry. Ensure that COMSUBFOR UMO Memorandum of 22 Oct 24 is filed in member's medical record. Make the following entry on enlisted service record administrative remarks Page 13 and ensure service member acknowledges this entry:

Date: 22 OCT 24: Determined "Physically Not Qualified" by reason of Code 1. The enlisted submarine designator (SS/SU) is hereby removed. If submarine qualified, member may continue to wear the submarine warfare breast insignia. He may reapply to Commander, Navy Personnel Command (PERS 403) via Bureau of Medicine and Surgery (BUMED 21) for restoration of the (SS/SU) designator when he once again satisfies the physical requirements of the Manual of the Medical Department for submarine duty. Auth: (cite this letter as authority).

Ensure member's pay reflects termination of submarine pay per the provisions of OPNAVINST 7220.15B.”

On 27 October 2024, Chief, Bureau of Medicine and Surgery notified Commander, Navy Personnel Command (PERS 403) that “[b]ased on a review of the available medical information, Clinical Data on Applicant, the subject member DOES NOT meet the established physical

standards for Submarine and Nuclear Field Duty due to adjustment disorder with depressed mood and chronic radicular pain requiring psychopharmaceutical use (gabapentin) for control.

A waiver of the physical standards for Submarine Duty IS NOT recommended.

A waiver of the physical standards for Nuclear Field Duty IS NOT recommended.

This medical endorsement of physical qualifications is for use by the Deputy Chief of Naval Operations (DCNO N133) and Commander, Naval Personnel Command (PERS-403). Assignment/Removal of submarine designator or nuclear NEC change/restoration/removal are 'separate administrative actions taken by PERS-403 and DCNO N133D IAW SECNAVINST 7220.80D and OPNAVINST 1220.'"

On 28 October 2024, BUPERS (PERS 403), Memorandum Endorsement listed the following: "SNM meets NUCFLD/SUB/Exposure to Ionizing radiation PHYS STDS. SNM Meets Surface NUCFLD STDS only. Waivers not granted for NUCFLD. Waivers not granted for Sub duty."

On 27 December 2024, you were issued official change duty orders (BUPERS Order: 3624) while stationed at ██████████ with an effective date of departure of January 2025. Your ultimate activity was ██████████ for duty limited duty with an effective date of arrival of 9 January 2025, with a projected rotation date (PRD) of June 2025.

Defense Finance and Accounting Service Military Leave and Earnings Statement for the period of 1 to 31 January 2025 listed a Military Pay/Allowance debt balance of \$3,879.87 and a start indebtedness date of 1 January 2025.

On 9 January 2025, you transferred from ██████████ and arrived at ██████████ on 9 January 2025 for duty.

On 19 December 2025, your Master Military Pay Account (MMPA) listed the following (SRB): ENTRY-OPEN-DT 240407 09 04 1 ENTRY-CLSD-DT 250104 07 01 1 CNTRL-CODE 2 AMT-ANL-PAYMT 5,190.75 ENTLMT 47,389.62 PD-TO-DATE 47,389.62 SRB-INSTLMT-NR 6 SRB-MULTR 5.0 SRB-BONUS-TYPE A TOTAL-DAYS-SRB-PD 1620 RRB/SRB-TAX-XCLUSN-ID 1 DOE 190417 FY 19 AMT-INSTLMT-PMT 25,953.74 FY 20 AMT-INSTLMT-PMT 5,190.75 FY 21 AMT-INSTLMT-PMT 5,190.75 FY 22 AMT-INSTLMT-PMT 5,190.75 FY 23 AMT-INSTLMT-PMT 5,190.75 FY 24 AMT-INSTLMT-PMT 5,190.75.

You requested repayment for SRB payment that was taken in January 2025, request that the SRB payments be paid back from January 2025 to present. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you were not disqualified due to performance, behavior, or other violations of the Uniformed Code of Military Justice and at no fault of your own; the Nuclear NEC was taken due to being medically disqualified. Furthermore, neither you nor your command received a notice of indebtedness. However, the Board concluded that your SRB payment was withheld because you no longer held the NEC for which you were paid the SRB.

In accordance with OPNAVINST 1160.8b, “[a]t the point official action is taken resulting in an SRB recipient no longer meeting technical qualification for an SRB, that member is no longer earning the bonus. If eligibility is lost, that member may be subject to recoupment of the unearned portion of SRB already received” Additionally, “[f]or Sailors in the NNPP, technical qualification in the military specialty for which the bonus was awarded is defined as holding an active nuclear NEC. While a member's active nuclear NEC is replaced with an inactive nuclear NEC (3359 or 3389) they are not eligible to earn SRB bonus monies. Therefore, while a Sailor who is under an SRB contract holds an inactive NEC, all payments of SRB monies will be suspended. Adjudication of the cause for inactivation of the nuclear NEC will result in either restoration of an active nuclear NEC or disqualification from the NNPP.” The Board agreed that you originally earned the SRB based on the NEC. The loss of your nuclear NEC made you ineligible for future SRB payments and any unearned portion of the SRB that you have already received must be recouped. In this connection, the board substantially concurred with the comments contained in the advisory opinion.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

1/13/2026

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