



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

DJC
Docket No. 2114-12
25 Sep 12

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) OCNO Memo 5420 Ser N133D/144 dtd 5 Sep 12
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to establish entitlement to a zone "B" Selective Reenlistment Bonus (SRB), and Continuous Submarine Pay.

2. The Board, consisting of Mr. Pfeiffer, Mr. Zsalman, and Mr. George, reviewed Petitioner's allegations of error and injustice on 24 September 2012 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, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

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.

RECOMMENDATION:

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

a. The 15 month agreement to extend enlistment (NAVPERS 1070/621), executed on or about 2 May 2011, is null and void.

b. The Petitioner was discharged on 29 April 2011 and reenlisted, on 30 April 2011. The term is 6 years.

c. This change will entitle the member to a zone "B" SRB with an award level of 1.0 for the ETSS/14XXA rate/NEC. Remaining obligated service to 1 March 2013 will be deducted from SRB computation.

d. Petitioner's command must submit the tax free data code to DFAS for determination of tax free eligibility.

e. Note: CONSUBPAY effective commencement date is 3 May 2011. The Petitioner's CONSUBPAY needs to be adjusted to reflect the above change to the member's record. The member is entitled to CONSUBPAY for meeting the obligated service requirement of 18 months beyond the member's projected rotation date. The Enlisted Submarine Pay Program Monitor will work with DFAS for any portion of CONSUBPAY not credited to the member's account once NPC updates the member's Enlisted Master File. Contact N133D3 at 703-604-5502 or email nxag_n133d3@navy.mil for assistance with back pay if necessary.

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

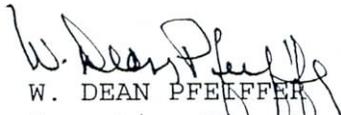
4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


WILLIAM J. HESS, III
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

25 Sep 12


W. DEAN PFEIFFER
Executive Director