



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

DJC
Docket No. NR3339-14
29 Sep 14

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

Subj: [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 5420 MMEA dtd 4 Sep 14
(3) HQMC E-mail dtd 29 Sep 14
(4) 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 modify an enlistment/reenlistment document.
2. The Board, consisting of Mr. Ruskin, Mr. Exnicios, and Mr. George, reviewed Petitioner's allegations of error and injustice on 22 September 2014 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) and (3), 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) and (3), 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 Petitioner was discharged and reenlisted on 29/30 December 2013, vice on or about 5/6 January 2014. The term is 4 years.

b. This change, upon completion of MOS training, will entitle the Petitioner to a zone "A" SRB for MOS 0211, which is capped at \$41,500 for 48 months of additional obligated service. Remaining obligated service to 6 September 2014 will be deducted from SRB computation. Note: Petitioner was in a combat tax exclusion area (Afghanistan) from 18 May 2013 to 10 December 2013; therefore, he rates tax free SRB.

c. The Petitioner's previous zone "A" SRB payment should be adjusted to reflect combat tax exclusion.

d. 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.


BARBARA A. NAHULAK
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.

29 Sep 14


ROBERT J. O'NEILL
Executive Director