



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

JET
Docket No. NR 7595-14
16 Mar 15

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 7220 Ser N130D2/14U1578 of 4 Dec 14
(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 that the debt he owes due to a recoupment of an overpayment of Selective Reenlistment Bonus (SRB) and an early discharge be reduced from \$9,223.05 to \$6,462.69.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 March 2015 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:

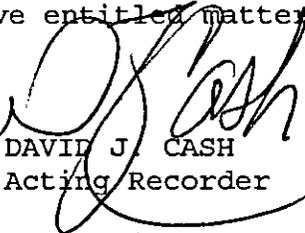
a. Petitioner's SRB recoupment debt of the unearned portion is \$6,462.69; it's the difference between the amount of SRB Petitioner received of \$21,969.49 and the amount of the SRB he earned in the amount of \$15,506.80.

b. Petitioner was erroneously overcharged an additional amount of \$3,876.70, when the PSD took Petitioner's earned amount of the SRB "\$15,506.80" and used it to as a "new entitlement", which it was not, to calculate the last year of Petitioner's 4-year contract that he did not fulfill which was a mistake. DFAS is directed to remove this erroneous \$3,876.70 from Petitioner's account.

c. Petitioner is only responsible to pay the unearned portion of the SRB in the balance of \$6,462.69.

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.


DAVID J. CASH
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.

16 Mar 15


ROBERT J. O'NEILL
Executive Director