



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

[REDACTED]
Docket No. 7494-20
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] USN,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 272/19

Encl: (1) DD Form 149 w/attachments
(2) BUPERS memo 1160 Ser B328/153 of 29 Oct 20
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting his naval record be corrected to establish entitlement to Zone "A" Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED], [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 27 May 2021 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, relevant portions of Petitioner's naval record, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

- a. Petitioner's Active Duty Service Date is 28 July 2014.
- b. On 16 November 2015, Petitioner agreed to extend enlistment for 24 total aggregate months; end of active obligated service (EAOS): 27 July 2020.
- c. On 25 June 2019, Petitioner issued BUPERS Orders: 1769 (Official Change Duty Orders) with a required obligated service to August 2022 and graduation date of 13 February 2020.
- d. On 30 July 2019, Petitioner reenlisted for a term of 4-years.

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e. On 10 January 2020, Petitioner issued BUPERS Order: 0020 (Official Modification to Change Duty Orders) to detach from Naval Diving & Salvage Training Center [REDACTED] and report to Underwater Construction Team P [REDACTED] by 16 March 2020.

f. On 12 February 2020, Petitioner completed Underwater Construction Technician Basic and awarded Navy Enlisted Classification (NEC) code B17A effective 1 February 2020.

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. The Board concluded Petitioner's BUPERS Order: 1769 outlined the process to obligate the required service when there is a potential monetary loss of an SRB. However, because of improper counseling the Petitioner executed a reenlistment prior to earning the B17A NEC, thereby rendering him ineligible for the SRB outlined in reference (b). Although the proper administrative requirements were not completed, the Board felt that under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's NAVPERS 1070/601, Immediate Reenlistment Contract executed on 30 July 2019 for a term of 4-years is null and void.

On 30 July 2019, Petitioner executed NAVPERS 1070/621, Agreement to Extend Enlistment dated 28 July 2014 for a term of 12-months; 36 total aggregate months. EAOS: 27 July 2021.

Petitioner, in coordination with his command completed the required NAVPERS 1070/613, Administrative Remarks on 30 July 2019 agreeing to extend enlistment 13-months for SRB. The NAVPERS 1070/613, Administrative Remarks was submitted to Commander, Navy Personnel Command for inclusion in the Petitioner's Official Military Personnel File.

Petitioner executed NAVPERS 1070/601, Immediate Reenlistment Contract on 12 February 2020 for a term of 4-years.

These changes will entitle the Petitioner to a Tier Two, Zone "A" SRB with an award level of 2.0 (\$45,000 award ceiling) for the Steelworker (SW) rating with B17A NEC. Note: Remaining obligated service to 27 July 2020 will be deducted from SRB computation.

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

4. It is certified that a 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.

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

[REDACTED] 7/8/2021

Signed by: [REDACTED]