



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

[REDACTED]
Docket No. 5346-21
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. §1552
(b) MILPERSMAN 1160-100 of 4 Nov 05
(c) Current Career School Listing (CSL) of 1 July 20
(d) FY21 SRB Award Plan (N13SRB 001/FY21) of 28 Oct 20

Encl: (1) DD Form 149 w/attachments
(2) CMSB memo 1160 Ser B328/093 of 2 Sep 21
(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 her naval record be corrected to show Petitioner reenlisted for 5 years vice 4 years under Selective Training and Reenlistment (STAR) program.
2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 November 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, 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 accordance with reference (b), the STAR program offers career designation to first term enlisted members who enlist or reenlist and thereby become eligible for the following career incentives:
 - a. Guaranteed assignment to an appropriate Class "A" or "C" School (but not both).
 - b. Possible advancement from petty officer third class (PO3) to petty officer second class (PO2) upon completion of a Class "C" School or a Class "C" School package, which is listed in the Career Schools Listing (CSL), MILPERSMAN 1510-020, and the latest NAVADMIN in effect on date of reenlistment, if otherwise eligible.
 - c. Advancement to PO3 upon completion of Phase I of an Advanced Electronics Field (AEF) Class "A" School under automatic advancement procedures for the AEF program.
 - d. Selective Reenlistment Bonus (SRB), if eligible (not guaranteed).

c. On 27 June 2016, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 26 June 2020 and SEAOS of 26 June 2021.

d. In July 2017, Petitioner earned NEC L23A.

e. On 26 April 2018, Petitioner signed an agreement to extend enlistment for 2 months with an Soft End of Active Obligated Service (SEAOS) of 26 August 2021 in order to match EAOS with Projected Rotation Date (PRD) of August 2021.

f. In accordance with reference (c), a Rating/NEC HM/L23A (Surgical Tech) with and obliserv of 5 years was listed with the following notes: MPM 1160-100 outlines the OBLISERV requirements for STAR program reenlistment.

g. On 1 September 2020, Petitioner was advanced to Petty Officer Third Class/E-4.

h. On 24 September 2020, Petitioner submitted an Electronic Personnel Action Request (NAVPERS 1306/7) requesting STAR program reenlistment, and was approved by cognizant authority on 2 November 2020.

i. On 1 October 2020, Petitioner signed a Command Career Request (NPPSC 1160/1) for a 4 year reenlistment effective 3 January 2021, and was approved by cognizant authority on 2 November 2020.

j. In accordance with reference (d), FY21 SRB Award Plan (N13SRB 001/FY21), a zone "A" SRB with an award level of 2.5 (\$45,000 award ceiling) for the HM/L23A rate/NEC was listed.

k. On 13 November 2020, COMNAVPERSCOM notified command that Petitioner's STAR request was approved.

l. On 3 January 2021, Petitioner reenlisted for 4 years with an EAOS of 2 January 2025 and received an SRB.

m. On 5 January 2021, COMNAVPERSCOM notified command that Petitioner's SRB had been approved for a 4 year reenlistment effective 3 January 2021 for a zone "A" SRB with an award level of 2.5 for NEC L23A.

n. 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. The Board concluded that Petitioner was approved for a STAR reenlistment; however, the Command Career Counselor submitted the SRB precertification request for a 4 year

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term. Petitioner's 4-year term reenlistment does not meet STAR criteria of reenlisting for a minimum of 5 years; therefore, she is ineligible for advancement under the STAR program.

RECOMMENDATION

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

The Immediate Reenlistment Contract (NAVPERS 1070/601) executed on 3 January 2021 for a term of 5 years vice 4 years listed "Career designated under MILPERSMAN 1160-100". Note: all other remarks remain the same.

Petitioner was advanced to Petty Officer Second Class/E-5 effective 1 September 2021.

Note: This change will entitle the member to a zone "A" SRB with an award level of 2.5 (\$45,000 dollar award ceiling) for the HM/L23A rate/NEC. Remaining obligated service to 26 June 2021 will be deducted from SRB computation. Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay.

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.

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.

12/13/2021

[REDACTED]

Deputy Director

[REDACTED]