



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

[REDACTED]
Docket No. 7282-21
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 108/20 of 15 Apr 20
(c) FY21 SRB Award plan (N13SRB 005/FY21) of 9 Aug 21

Encl: (1) DD Form 149 w/attachments
(2) CMSB memo 1160 Ser B328/126 of 22 Nov 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 that his naval record be corrected to show Petitioner reenlisted for a term of 6 years on 9 November 2021 vice 15 July 2021 and was eligible for and received a Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 December 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. On 4 October 2018, Petitioner signed a Professional Apprenticeship Career Track (PACT) Program Enlistment Guarantees (NAVCRUIT 1133/53) Annex "A" to DD Form 4 dated 4 October 2018 for 3 years listing the following options: Aviation/Airman Professional Apprenticeship Career Track (PACT) Program Guarantee.

c. On 26 November 2018, Petitioner entered active duty.

d. On 23 March 2021, Director, Military Community Management notified Petitioner that Per BUPERSINST 1430.16G, Petitioner was authorized advancement to the pay grade of E-4 via

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the PACT Program. PACT Sailors designated via CTM "A" School will be advanced upon graduation from training with his Commanding Officer or Officer-in-Charge (CO/OIC) endorsement. Required Obligated service: November 2027.

e. In accordance with reference (b), this NAVADMIN announces revised SRB policy for Active Component (AC) and Full-Time Support, superseding NAVADMIN 272/19. Sailors must now reenlist within 365 days of their End of Active Obligated Service (EAOS) (as opposed to 270 days required in NAVADMIN 272/19), except in the case of Nuclear-trained Sailors who can reenlist at any point in the reenlistment zone, per guidance in OPNAVINST 1160.8B.

f. On 26 April 2021, Deputy Chief of Naval Personnel notified Petitioner that he was authorized immediate in-rate reenlistment in the AC with an end date of August 2022.

g. On 14 June 2021, Petitioner was issued official change duty orders (BUPERS order: 1651) with a required obligated service to November 2027, while stationed in [REDACTED] with an effective date of departure of July 2021. Petitioner's intermediate activity was [REDACTED] for temporary duty with an effective date of arrival of 23 July 2021.

h. On 15 July 2021, Petitioner reenlisted for 6 years with an EAOS of 14 July 2027.

i. In accordance with reference (d), FY21 SRB Award Plan (N13SRB 005/FY21) listed a zone "A" SRB with an award level of 1.0 (\$30,000 award ceiling) for the CTM rate.

j. On 26 October 2021, Petitioner was issued official modification to change duty orders (BUPERS order: 1651), while stationed in [REDACTED] with an effective date of departure of July 2021. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 9 August 2021.

k. On 8 November 2021, Petitioner was issued official modification to change duty orders (BUPERS order: 1651), while stationed in [REDACTED] with an effective date of departure of July 2021. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 9 August 2021. Furthermore, Petitioner graduated from Cryptologic Technician M CLS (Course Code 6161).

l. 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 per BUPERS Order 1651, to prevent potential monetary loss of SRB, BUPERS-328 may authorize the use of NAVPERS 1070/613 for periods of more than 12 months of OBLISERV instead of executing a reenlistment contract. The Command Career Counselor should have advised Petitioner to execute a 24-month extension of

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XXX-XX-[REDACTED]

enlistment and place the remaining 48 months on a NAVPERS 1070/613. Upon completion of CTM "A" School on 8 November 2021, reenlist for 6 years, authorize SRB in accordance with OPNAVINST 1160.8B, NAVADMIN 108/20, and FY21 SRB Award Plan (N13SRB 005/FY21) and advance to CTM3/E-4 effective 8 November 2021.

RECOMMENDATION

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

Petitioner executed a 24-month agreement to extend enlistment (NAVPERS 1070/621) operative on 26 November 2021.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 15 July 2021; fulfilling a 48 month agreement to extend enlistment operative on 26 November 2023.

Petitioner was discharged and reenlisted on 7/8 November 2021, vice on 14/15 July 2021 for a term of 6 years.

Note: This change will entitle the member to a zone "A" SRB with an award level of 1.0 (\$30,000 award ceiling) for the CTM rate. Remaining obligated service to 25 November 2021 will be deducted from SRB computation.

Petitioner was advanced to Petty Officer Third Class/E-4 effective 8 November 2021.

Note: 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 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.

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.

1/18/2022

[REDACTED]
Deputy Director
[REDACTED]