



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

[REDACTED]
Docket No. 7659-21
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 108/20 of 15 Apr 20
(c) FY21 SRB Award Plan (N13SRB 004/FY21) of 29 Jun 21

Encl: (1) DD Form 149 w/attachments
(2) CMSB memo 1160 Ser B328/137 of 6 Dec 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 was eligible for and received a Selective Retention Bonus (SRB).

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 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 8 October 2013, Petitioner entered active duty.

c. On 31 August 2017, Petitioner reenlisted for 6 years with an End of Active Obligated Service (EAOS) of 30 August 2023.

d. In accordance with reference (b), this NAVADMIN announces revised SRB policy for Active Component (AC) and Full-Time Support (FTS), superseding NAVADMIN 272/19. Sailors must now reenlist within 365-days of their End of Active Obligated Service (EAOS) (as

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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.

e. On 15 June 2021, Petitioner was issued official change duty orders (BUPERS order: 1661) with a required obligated service to July 2025, while stationed in [REDACTED] with an effective date of departure of July 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 13 August 2021.

f. In accordance with reference (c), FY21 SRB Award Plan (N13SRB 004/FY21) listed a zone "B" SRB with an award level of 6.5 (\$75,000 award ceiling) for the SB/O52A rate/NEC.

g. On 19 July 2021, Petitioner earned NEC O52A (Special Warfare Combatant-Craft Crewman (SWCC)).

h. On 5 August 2021, Petitioner signed a Command Career Request (NPPSC 1160/1) for a 4 year reenlistment effective 6 August 2021, and was approved by cognizant authority on 6 August 2021.

i. On 6 August 2021, Petitioner reenlisted for 4 years with an EAOS of 5 August 2025.

j. 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 BUPERS order: 1661 required Petitioner to obligate service out to July 2025. Petitioner was eligible for an SRB for his 4-year term reenlistment effective 6 August 2021. If the Command Career Counselor had submitted Petitioner's SRB precertification request to BUPERS-328 within 35 to 120 days in advance of the requested reenlistment date, it would have been approved.

RECOMMENDATION

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

Petitioner's Command submitted a waiver request for his SRB to BUPERS-328 via OPINS/NSIPS less than 35 days in advance of the requested reenlistment date of the Sailor and was approved by cognizant authority.

Note: This change will entitle the member to a zone "B" SRB with an award level of 6.5 (\$75,000 award ceiling) for the SB/O52A rate/NEC. Remaining obligated service to 30 August 2023 will be deducted from SRB computation.

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[REDACTED]

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.

1/29/2022

[REDACTED]
Deputy Director
[REDACTED]