

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 5935-22 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO, USN,

XXX-XX-

Ref: (a) Title 10 U.S.C. § 1552

(b) NAVADMIN 108/20, 15 Apr 20

(c) FY20 SRB Award Plan (N13SRB 003/FY20), 30 Apr 20

Encl: (1) DD Form 149 w/attachments

(2) CMSB memo 1160 Ser B328/088, 17 Aug 22

(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 on 1 August 2020 vice 30 April 2020 and was eligible for received a Selective Reenlistment Bonus (SRB).
- 2. The Board, consisting of present and injustice on 25 August 2022 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 25 April 2011, Petitioner entered active duty.
- c. On 31 March 2016, Petitioner reenlisted for 6 years with an End of Active Obligated Service (EAOS) of 30 March 2022.
- d. On 12 March 2020, Petitioner signed a command career request (NPPSC 1160/1) requesting a 6 year reenlistment with an effective date of 30 April 2020. The request was approved by cognizant authority on 27 March 2020.

Subj: REVIEW OF NAVAL RECORD ICO , USN, XXX-XX-
e. In accordance with reference (b), this NAVADMIN announced revised SRB policy for Active Component (AC) and Full-Time Support (FTS), superseding NAVADMIN 272/19. Sailors must now have reenlisted within 365-days of their EAOS (as opposed to 270-days required in NAVADMIN 272/19), except in the case of Nuclear-trained Sailors who could have reenlisted at any point in the reenlistment zone, per guidance in OPNAVINST 1160.8B.
f. In accordance with reference (c), FY20 SRB Award Plan (N13SRB 003/FY20) listed a zone "B" SRB with an award level of 1.5 (\$30,000 award ceiling) for the AT rate.
g. On 30 April 2020, Petitioner reenlisted for 6 years with an EAOS of 29 April 2026.
h. On 22 May 2020, Petitioner was issued official change duty orders (BUPERS order: with required obligated service to November 2023, while stationed in with an effective date of departure of August 2020. Petitioner's Intermediate (1) activity was for temporary duty under instruction with an effective of arrival of 1 September 2020. Petitioner's ultimate activity was

have

(1)ve date for duty with an effective date of arrival of 17 November 2020 and a Projected Rotation Date (PRD) of November 2023. i. On 11 June 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 1430) while stationed in ■ with an effective date of departure of August 2020. Petitioner's ultimate activity was for duty with an effective date of arrival of 15 September 2020 and a PRD of September 2023. j. On 22 July 2020, Petitioner was issued official modification to change duty orders (BUPERS order: ) while stationed in with an effective date of departure of August 2020. Petitioner's ultimate activity was for duty with an effective date of arrival of 15 September 2020 and a PRD of September 2024. k. On 11 August 2020, Petitioner transferred from , and arrived to September 2020 for duty. 1. On 18 May 2022, Commanding Officer, Electronic Attack Squadron notified Director, Military Personnel Plans and Policy Division via Commander, U.S. Pacific Fleet and Navy Pay and Compensation Policy Branch that on 30 April 2020, Petitioner On that day a SRB award plan came out with an SRB that he qualified Command Career Counselor (CCC) failed to inform this Sailor that he was eligible for the new SRB. As a result, member transferred and discovered upon checking in with his new CCC office that he had missed out on getting an SRB.

m. 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's EAOS date was 30 March 2022 and there is no evidence that Petitioner was authorized to reenlist early; however, Petitioner reenlisted on 30 April 2020. That same date, FY20 SRB Award Plan (N13SRB 003/FY20) was published, listing Petitioner's rate as eligible for SRB. Furthermore, Petitioner was in his order negotiation window and was awaiting release of BUPERS Order and should not have reenlisted until his orders were issued. Once his orders were issued, his CCC could have submitted an Officer Personnel Information System (OPINS)/Navy Standard Integrated Personnel System (NSIPS) request for SRB and Petitioner would have been eligible to reenlist to meet the required obligated service.

## RECOMMENDATION

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

Petitioner was discharged and reenlisted on 31 July 2020/1 August 2020, vice on or about 29/30 April 2020 for a term of 6 years.

Note: This change will entitle the member to a zone "B" SRB with an award level of 1.5. (\$30,000 award ceiling) for the AT rate. Remaining obligated service to 30 March 2022 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.
- 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.

