



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

[REDACTED]
Docket No. 6744-22
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) OPNAVINST 1160.8B of 1 Apr 19

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by CMSB memo 1160 Ser B328/098, 19 Sep 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's 4 year term reenlistment contract of 25 July 2022 was cancelled and his Expiration of Active Obligated Service (EAOS) date changed back to 17 September 2023.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 15 December 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. In accordance with reference (b), additional eligibility criteria will be published by NAVADMIN. If the current SRB NAVADMIN publishes the use of zones, the guidance regarding zones in table 1-1 must be adhered to. A member may receive only one SRB per zone during a career. When reenlisting for SRB, the reenlistment must take the member's new EAOS into the next SRB zone.

b. On 18 September 2019 Petitioner reenlisted for 4 years with an EAOS of 17 September 2023. Furthermore, Petitioner received a zone B SRB.

c. On 25 July 2022, Petitioner reenlisted for 4 years with an EAOS of 24 July 2026.

d. On 2 August 2022, Petitioner was issued official change duty orders (BUPERS order: 2142) with required obligated service to July 2026, while stationed in [REDACTED] with an effective date of departure of February 2023. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 15 March 2023, with a Projected Rotation Date (PRD) of July 2026.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2),¹ the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was erroneously approved to execute a 4-year immediate reenlistment for SRB in zone "B." However, Petitioner had previously received a zone "B" SRB and a member may receive only one SRB per zone during a career. Petitioner has subsequently received BUPERS order: 2142 with required obligated service to July 2026. Petitioner can satisfy his service obligation with a 12-month agreement to extend enlistment (NAVPERS 1070/621) and place the remaining 22 months on an Administrative Remarks (NAVPERS 1070/613).

RECOMMENDATION

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

Petitioner's immediate reenlistment contract (NAVPERS 1070/601) executed on 25 July 2022 for a term of 4 years is null and void. Note: This change will establish an EAOS of 17 September 2023.

Petitioner executed a 12-month agreement to extend enlistment (NAVPERS 1070/621) operative on 18 September 2023.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 2 August 2022 to extend on active duty for an additional 22 months to satisfy obligated service to July 2026 as required in order to execute BUPERS order: 2142.

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.

1/9/2023

[REDACTED]

Deputy Director

[REDACTED]

¹ 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.