

DEPARTMENT OF THE NAVY

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

> Docket No. 8077-22 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO , USN,

Ref: (a) Title 10 U.S.C. § 1552

(b) NAVADMIN 108/20, 15 Apr 20

(c) FY22 SRB Award Plan (N13 SRB 005/FY22), 23 Sep 22

Encl: (1) DD Form 149 w/attachments

- (2) CMSB memo 1160 Ser B328/120, 1 Nov 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 her naval record be corrected to show Petitioner was eligible for and received a Selective Reenlistment Bonus (SRB).
- 2. The Board, consisting of ______, and _____ reviewed Petitioner's allegations of error and injustice on 10 November 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 27 June 2017, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 26 June 2021 and Soft End of Active Obligated Service (SEAOS) of 26 June 2022.
- c. On 11 April 2019, Petitioner signed an agreement to extend enlistment for 10 months with an SEAOS of 26 April 2023 in order to incur obligated service for non-Obliserve-To-Train school.

- d. 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.
- e. On or about 6 September 2022, Petitioner submitted a command career request (NPPSC 1160/1) requesting a 4 year reenlistment effective 21 October 2022. Petitioner's request was approved on 13 September 2022 by cognizant authority.
- f. In accordance with reference (c), FY22 SRB Award Plan (N13 SRB 005/FY22) a zone "A" SRB with an award level of 1.0 (award ceiling) for the HM rate was listed.
 - g. On 21 October 2022, Petitioner reenlisted for 4 years with an EAOS of 20 October 2026.
- h. 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 references (b) and (c), and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that at the time of reenlistment, Petitioner was eligible for a zone "A" SRB with an award level of 1.0. If the Command Career Counselor had submitted the SRB precertification request 35 to 120 days in advance of the reenlistment date, she 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 "A" SRB with an award level of 1.0 (\$ award ceiling) for the HM rate. Remaining obligated service to 26 April 2023 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.

Deputy Director