



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

[REDACTED]
Docket No. 289-23
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 049/20, 26 Feb 20

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB BUPERS-328, 18 Jan 23
(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 25 November 2022 for a term of 3 years and was eligible for and received the Critical Skills Retention Bonus (CRSB).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 February 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 25 November 2002 Petitioner entered active duty, and was advanced to [REDACTED] on 16 January 2017. On 30 November 2018 Petitioner reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 29 November 2022.

b. On 1 September 2020 Petitioner transferred from SPECRECON [REDACTED], and arrived to [REDACTED] on 3 September 2020.

c. In October 2020 Petitioner was awarded Navy Enlisted Classification (NEC) O26C (Special Warfare Operator (SEAL) Platoon Leading Chief Petty Officer (PLCPO)).

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

d. On 18 November 2022 Petitioner signed an agreement to extend enlistment for 24 months with a Soft End of Active Obligated Service of 29 November 2024 in order to extend to match EAOS with PRD of November 2024.

e. On 25 November 2022 Petitioner completed 20 years of active service.

f. In the advisory opinion, 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 reference (b)¹ and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner signed an agreement to extend enlistment on 18 November 2022, extending his EAOS from 29 November 2022 to 29 November 2024, and at which time had 20 years of service. Per reference (b), Petitioner met the criteria for CSRB and should have been advised to reenlist rather than extend his enlistment.

RECOMMENDATION

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

Petitioner's 24 month agreement to extend enlistment (NAVPERS 1070/621) executed on 18 November 2022 is null and void.

Petitioner was discharged on 24 November 2022 and reenlisted on 25 November 2022 for a term of 3 years.

Note: This change will entitle the member to a Phase One NSW CSRB in the amount of \$65,000. Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine the amount that Petitioner is entitled to. For any questions or concerns regarding the CSRB Program, the POC is NSW Deputy ECM (BUPERS-324), phone (901) 874-3552.

¹ Reference (b), This NAVADMIN cancels NAVADMIN 012/17 and announces the renewal of the Naval Special Warfare Senior Enlisted and Chief Warrant Officer (CWO) CSRB Program. The NSW CSRB is part of the overarching effort of the Navy to size, shape, and stabilize the force. NSW senior enlisted Service Members with NECs O26X or O52X, in paygrades E-7 and above, and CWOs with designators 7151 and 7171, who have between 20 and 28 years of active service, shall be eligible to apply for the NSW CSRB, but must also meet the following eligibility criteria: a. Be serving on active-duty in a regular component. b. Have the favorable recommendation of the commanding officer for receipt of NSW CSRB. Service Members may sign a contract in their 19th year of service (YOS). CSRB payments begin at 20 YOS. Enlisted Service Members may contract to their HYT mark. E-8s and CWO2/CWO3s are eligible to contract to 26 YOS. Phase One NSW CSRB. Service Member must be CWO2 7151/7171 or E-7 or above O26X/O52X to apply for a Phase One Bonus. Phase One corresponds with E-7 HYT and encompasses 20 to 24 YOS. Service Members will have the opportunity to receive up to 90,000 dollars in retention bonuses for Phase One contracts. At a minimum, members must contract through 21 YOS. YOS/Bonus Amount: 20+/20,000 dollars, 21+/20,000 dollars, 22+/25,000 dollars, and 23+/25,000 dollars. NSW CSRB contracts shall be for a minimum of 2 and a maximum of 6 years. Service Members under CSRB contract will not submit a request for retirement or tender a resignation with an effective date that is prior to completion of the agreement. Enlisted Service Members must reenlist or extend their enlistment contract, soft end of active obligated service, for a period of at least 2 years. Service Members are authorized early reenlistment in order to align CSRB and reenlistment contracts.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[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.

2/24/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]