



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

[REDACTED]
Docket No. 470-23
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) OPNAVINST 1160.8A, 30 Jan 07
(c) NAVADMIN 166/11, 17 May 11
(d) NAVADMIN 013/12, 6 Jan 12

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB BUPERS-328, 24 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 show Petitioner executed a 9-month agreement to extend enlistment (NAVPERS 1070/621) under OBLISERV to train (OTT), then reenlisted upon graduation from [REDACTED] course and received a Zone A Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 May 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 7 September 2006, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 6 September 2010 and Soft EAOS of 6 September 2011.

b. In October 2006, Petitioner was awarded Navy Enlisted Classification (NEC) 9770.

c. In accordance with reference (b), a member who is not eligible for an SRB in their present rating/skill or who does not hold an SRB eligible NEC may qualify for an SRB if they convert

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to, or train for, an SRB eligible rating/NEC/skill. The member must agree to obligate service to train for the SRB rating/NEC/skill then reenlist after the new rating/NEC/skill is attained or rating conversion is completed. The new rating/NEC/skill must be designated for award of an SRB at the time of the agreement to obligate service to train. An SRB may be paid to a member for that specialty upon completion of qualification training and reenlistment in the specialty.

d. In accordance with reference (c), this NAVADMIN announces revised FY11 SRB award levels for active component (AC) and reserve component full time support (FTS) and supersedes NAVADMIN 253/11. It also provides guidance regarding a new SRB quota management policy. The SRB program will continue to provide early reenlistment opportunities for top performing sailors as outlined in para 6 below. This NAVADMIN and any subsequent FY11 SRB adjustment messages only apply to sailors requesting to reenlist in fiscal year 2011. SRB requests for FY12 will not be accepted until the FY12 SRB plan is released. Increased award levels are effective immediately and decreased levels are effective 30 days after the release of this NAVADMIN. Furthermore, a Zone "A" SRB with an award level of 2.5 (\$45,000 dollar award ceiling) for the CB/5932 rate/NEC.

e. On 18 May 2011, Petitioner was issued official change duty orders (BUPERS order: 1381) with required obligated service to October 2024, while stationed at [REDACTED], [REDACTED], [REDACTED] with an effective date of departure of September 2011. Petitioner's ultimate activity was STU [REDACTED], [REDACTED], [REDACTED] for duty with an effective date of arrival of 29 October 2011, with a Projected Rotation Date (PRD) of May 2012.

f. On 23 May 2011, Petitioner reenlisted for 3 years with an EAOS of 22 May 2014.

g. On 28 October 2011, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 29 October 2011 for duty under instruction.

h. In accordance with reference (d), this NAVADMIN announces revised SRB award levels for AC and reserve component FTS, and supersedes NAVADMIN 253/11. The SRB program will continue to provide early reenlistment opportunities for top performing sailors as outlined in para 6 below. Increased award levels are effective immediately and decreased levels are effective 30 days after the release of this NAVADMIN. Furthermore, a Zone "A" SRB with an award level of 2.5 (\$45,000 dollar award ceiling) for the CB/5932 rate/NEC.

i. On 17 April 2012, Petitioner was issued official change duty orders (BUPERS order: [REDACTED]) while stationed at [REDACTED], [REDACTED], [REDACTED] with an effective date of departure of May 2012. Petitioner's ultimate activity was [REDACTED], [REDACTED] for duty with an effective date of arrival of 20 June 2012, with a PRD of June 2017.

j. In May 2012, Petitioner was awarded NEC 5932.

k. On 18 May 2012, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 30 May 2012 for duty.

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l. On 7 September 2012, Petitioner entered Zone B.

m. On 24 February 2014, Petitioner reenlisted for 6 years with an EAOS of 23 February 2020. Furthermore, Petitioner received a Zone B SRB.

n. On 1 December 2015, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 29 April 2016 for duty.

o. On 7 September 2016, Petitioner entered Zone C.

p. On 21 February 2020, Petitioner reenlisted for 4 years with an EAOS of 20 February 2024. Furthermore, Petitioner received a Zone C SRB.

q. On 5 June 2020, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 6 July 2020 for temporary duty.

r. On 29 October 2020, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 5 November 2020.

s. 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 enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was in receipt of BUPERS order: [REDACTED] with required obligated service to October 2014. At the time of his reenlistment, Petitioner's EAOS was 6 September 2011 and he was scheduled to graduate his course on 18 May 2012. Furthermore, Petitioner's school was for an NEC listed in reference (c) as being eligible for a Zone A SRB. Petitioner met the criteria to execute a 9-month OTT extension to reach his graduation date and upon graduation, reenlist for a 3-year term and be awarded Zone A, 2.5 award level SRB. This would have met the required OBLISERV out to October 2014 as required in BUPERS ORDER [REDACTED].

RECOMMENDATION

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

Petitioner executed a 9-month NAVPERS 1070/621 on 23 May 2011, operative on 7 September 2011 under the OTT option.

Petitioner was discharged and reenlisted on 17/18 May 2012, vice 23 May 2011 for a term of 3 years with an EAOS of 17 May 2015 vice 22 May 2014.

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Note: This change will entitle the member to a Zone "A" SRB with an award level of 2.5 (\$45,000 dollar award ceiling) for the CB/5932 rate. DFAS will complete an audit of Petitioner's records to determine if Petitioner is due any back pay. This action may have a negative impact on his Zone B and C SRB. Finally, that any other entries/documents affected by the Board's recommendation be corrected.

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.

5/22/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]