



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

[REDACTED]
Docket No. 1391-23
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1160-100, 4 Nov 05
(c) NAVADMIN 108/20, 15 Apr 20
(d) Career School Listing, 1 Jul 20
(e) FY21 SRB Award Plan (N13 003/FY21), 19 Feb 21

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB (BUPERS-328), 24 Feb 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 her naval record be corrected to establish Petitioner reenlisted under Selective Training and Reenlistment (STAR) program, and was eligible for and received a Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 2 March 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. In accordance with reference (b), the STAR program offers career designation to first term enlisted members who enlist or reenlist and thereby become eligible for the following career incentives: a. Guaranteed assignment to an appropriate Class "A" or "C" School (but not both). b. Possible advancement from petty officer third class (PO3) to petty officer second class (PO2) upon completion of a Class "C" School or a Class "C" School package, which is listed in the Career Schools Listing (CSL), MILPERSMAN 1510-020, and the latest NAVADMIN in effect on date of reenlistment, if otherwise eligible. c. Advancement to PO3 upon completion of Phase I of an Advanced Electronics Field (AEF) Class "A" School under automatic advancement procedures for the AEF program. d. SRB, if eligible (not guaranteed).

b. On 26 July 2016, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 25 July 2020 and Soft End of Active Obligated Service (SEAOS) of 25 July 2021.

c. In April 2017, Petitioner was awarded Navy Enlisted Classification (NEC) L33A.

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d. In accordance with reference (c), this NAVADMIN announced revised SRB policy for AC and 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 8 October 2019, Petitioner was issued official change duty orders (BUPERS order: 2819) with required obligated service to December 2023, while stationed in [REDACTED] with an effective date of departure of May 2020. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 1 June 2020, with a Projected Rotation Date (PRD) of December 2020.

f. On 16 October 2019, Petitioner signed an agreement to extend enlistment for 29 months with a SEAOS of 25 December 2023 in order to incur sufficient obligated service to execute BUPERS order 2819.

g. On 26 March 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 2819) while stationed in [REDACTED] with an effective date of departure of July 2020. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 10 August 2020, with a Projected Rotation Date (PRD) of March 2021.

h. On 26 June 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 2819) while stationed in [REDACTED] with an effective date of departure of July 2020. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty with an effective date of arrival of 24 July 2020. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 11 August 2020, with a Projected Rotation Date (PRD) of March 2021.

i. In accordance with reference (d), a rating/NEC HM/L23A (Surgical Tech) with an obliserv of 5 years was listed with the following notes: 1. MPM 1160-100 OUTLINES the OBLISERV requirements for STAR program reenlistment.

j. On 24 July 2020, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 25 July 2020 for duty under instruction.

k. On 16 September 2020, Petitioner was advanced to HM3/E-4.

l. In accordance with reference (e), FY21 SRB Award Plan (N13SRB 003/FY21) a zone "A" SRB with an award level of 2.5 ([REDACTED] award ceiling) for the HM/L23A rate/NEC was listed.

m. In March 2021, Petitioner was awarded NEC L23A.

n. On 13 April 2021, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 14 May 2021 for duty.

o. 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.

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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 awarded Navy Enlisted Classification Code (NEC) L23A in March 2021 that is listed on Career School Listing as being eligible for the STAR Program. At that time, Petitioner was eligible to reenlist, was eligible for the STAR Program, and should have been advised to reenlist prior to her detachment date from [REDACTED]. Petitioner would have been eligible for advancement to E-5 on 16 September 2021 upon completion of one year time in rate as an E-4.

RECOMMENDATION

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

Petitioner executed an Immediate Reenlistment Contract (NAVPERS 1070/601) on 31 March 2021 for a term of 5 years and listed “Career designated under MILPERSMAN 1160-100.”

Petitioner was advanced to Petty Officer Second Class/E-5 on 16 September 2021.

Note: This change will entitle the member to a zone “A” SRB with an award level of 2.5 (\$ [REDACTED] award ceiling) for the HM/L23A rate/NEC. Remaining obligated service to 25 July 2021 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.

3/9/2023

[REDACTED]

Deputy Director

[REDACTED]