



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

[REDACTED]
Docket No. 1402-23
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 1160.8B, 1 Apr 19
(c) NAVADMIN 108/20, 15 Apr 20

Encl: (1) DD Form 149 w/attachments
(2) CMSB BUPERS-328, 28 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 his naval record be corrected to show Petitioner's contract of 13 May 2022 for a term of 6 years is null and void and his End of Active Obligated Service (EAOS) is 20 March 2025.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 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. On 12 July 2012, Petitioner entered active duty.
- b. In April 2017, Petitioner was awarded Navy Enlisted Classification (NEC) U53A.
- c. On 21 March 2019, Petitioner reenlisted for 6 years with an EAOS of 20 March 2025. Furthermore, Petitioner received a zone B SRB.

d. 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

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during a career. When reenlisting for SRB, the reenlistment must take the member's new End of Active Obligated Service (EAOS) into the next SRB zone.

e. On 1 May 2019, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 19 May 2019 for temporary duty.

f. In June 2019, Petitioner was awarded NEC 803R.

g. On 21 June 2019, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 26 July 2019 for duty.

h. In accordance with reference (c) 15 April 2020, 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.

i. On 13 May 2022, Petitioner reenlisted for 6 years with an EAOS of 12 May 2028.

j. On 12 July 2022, Petitioner entered zone C.

k. 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 on 13 May 2022, Petitioner reenlisted for 6 years with an EAOS of 12 May 2028. At the time of reenlistment, Petitioner was ineligible for SRB because he had already received a zone B SRB for his reenlistment on 21 March 2019. Additionally, Petitioner does not currently meet the requirements to reenlist in zone C for SRB. Therefore, the Board determined that cancelling Petitioner's 6-year term reenlistment of 13 May 2022 will change his EAOS back to 20 March 2025. This will provide Petitioner the opportunity to reenlist in zone C when eligible and if available at the time of reenlistment, be awarded a zone C SRB.

RECOMMENDATION

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

Petitioner's 6-year immediate reenlistment contract (NAVPERS 1070/601) executed on 13 May 2022 is null and void. Note: This change will reestablish Petitioner's previous EAOS of 20 March 2025.

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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.

3/20/2023

