



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

[REDACTED]
Docket No 1528-23
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) FY23 SRB Award Plan (N13 SRB 001/FY23), 26 Oct 22

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB (BUPERS-328), 1 Mar 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 6 year term reenlistment contract of 10 January 2023 was cancelled in order to apply for Zone C Selective Reenlistment Bonus (SRB) in July 2023.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 28 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 25 June 2013, Petitioner entered active duty, and reenlisted on 22 July 2019 for 4 years with an End of Active Obligated Service (EAOS) of 21 July 2023v and received a Zone B SRB.

b. On 1 June 2022, Petitioner was issued official change duty orders (BUPERS order: 1522) with required obligated service to January 2027, while stationed at [REDACTED] with an effective date of departure of August 2022. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 6 August 2022. Petitioner's intermediate (02) activity was [REDACTED] for temporary duty with an effective date of arrival of 20 August 2022. Petitioner's intermediate (03) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 1 October 2022.

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Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 17 January 2023, with a Projected Rotation Date (PRD) of January 2027.

c. On 27 June 2022, Petitioner was issued official modification to change duty orders (BUPERS order: 1522) with required obligated service to January 2027, while stationed at [REDACTED] with an effective date of departure of August 2022. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 6 August 2022. Petitioner's intermediate (02) activity was [REDACTED] for temporary duty with an effective date of arrival of 20 August 2022. Petitioner's intermediate (03) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 1 October 2022. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 17 January 2023, with a PRD of January 2027.

d. On 3 August 2022, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 8 August 2022 for temporary duty and transferred from [REDACTED] on 1 September 2022 and arrived to [REDACTED] on 2 October 2022 for temporary duty.

e. In accordance with reference (c), FY23 SRB Award Plan (N13 SRB 001/FY23) a Zone "B" SRB with an award level of 1.5 (\$30,000 award ceiling) for the EN/U13A rate/NEC was listed.

f. On 28 November 2022, Petitioner signed a command career request (NPPSC 1160/1) requesting a 6 year reenlistment effective 10 January 2023 and a Zone B SRB. Petitioner's request was approved on 6 December 2022 by cognizant authority.

g. In January 2023, Petitioner was awarded Navy Enlisted Classification (NEC) U13A.

h. On 10 January 2023, Petitioner reenlisted for 6 years with an EAOS of 9 January 2029.

i. On 10 January 2023, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 17 January 2023 for duty.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2),¹ the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that BUPERS order: 1522 required Petitioner to obligate service out to January 2027, which could have been satisfied by reenlistment or extension of enlistment. Petitioner requested to reenlist for 6 years with a Zone B, 1.5 award level SRB. The SRB precertification was submitted to BUPERS-328 and was erroneously approved. Petitioner

¹ 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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had already received a Zone B SRB for his reenlistment on 22 July 2019. Per reference (b),² a sailor can only have one SRB per Zone during their career. Petitioner reenlisted for 6 years on 10 January 2023, however, the SRB authorization was rescinded. If Petitioner had opted to extend rather than reenlist to meet the service obligation, he would be eligible to reenlist in Zone C and receive a Zone C SRB if one is authorized.

RECOMMENDATION

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

Petitioner's immediate reenlistment contract (NAVPERS 1070/601) executed on 10 January 2023 for a term of 6 years, is null and void.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 1 June 2022 to extend on active duty to satisfy obligated service to January 2027 as required in order to execute BUPERS order: 1522.

Note: This change will reestablish an EAOS of 21 July 2023.

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.

4/7/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]

² 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 during a career. When reenlisting for SRB, the reenlistment must take the member's new EAOS into the next SRB zone.