



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

[REDACTED]
Docket No. 3428-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1160-100, 4 Nov 05
(c) Career School Listing, 16 Aug 22

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB BUPERS-328, 27 Apr 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 reenlistment contract of 14 December 2022 was designated as a Selective Training and Reenlistment (STAR) and he was advanced to E-5 upon reenlistment.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 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. 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 14 May 2020, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 13 May 2024 and Soft EAOS (SEAOS) of 13 May 2026.

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[REDACTED]

- c. On 16 November 2020, Petitioner was advanced to MMN3/E-4.
- d. On 25 June 2021, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 8 July 2021 for duty under instruction.
- e. On 30 November 2021, Petitioner was issued official change duty orders (BUPERS order: 3341) while stationed at [REDACTED] with an effective date of departure of February 2022. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 6 February 2022. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 8 June 2022, with a Projected Rotation Date (PRD) of June 2026.
- f. On 12 January 2022, Petitioner was issued official modification to change duty orders (BUPERS order: 3341) while stationed at [REDACTED] with an effective date of departure of March 2022. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 5 March 2022. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 16 June 2022, with a PRD of June 2026.
- g. In January 2022, Petitioner was awarded Navy Enlisted Classification (NEC) N150.
- h. On 1 March 2022, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 5 March 2022 for temporary duty.
- i. On 16 May 2022, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 16 June 2022 for temporary duty.
- j. On 26 June 2022, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 27 June 2022 for duty.
- k. In accordance with reference (c) 16 August 2022, a rating/NEC MMN/N150/N250 (Nuclear Propulsion Plant Operator - Mechanical) with an obliserv of 5 years was listed with the following notes: 1. MPM 1160-100 OUTLINES the OBLISERV requirements for STAR program reenlistment.
- l. On 24 October 2022, Petitioner signed a command career request (NPPSC 1160/1) requesting a 6 year reenlistment effective 13 December 2022. Petitioner's request was approved on 24 October 2022 by cognizant authority.
- m. On 14 December 2022, Petitioner signed an administrative remarks (NAVPERS 1070/613) for the following: "Per BUPERSINST 1430.16F. I will be advanced to the rank of Second Class Petty Officer under the STAR reenlistment program once school has been completed, the NEC has been awarded, and I have completed one year time in service from the Effective date of advancement to E-4." Furthermore, it was witnessed by Assistant Command Career Counselor (CCC).
- n. On 14 December 2022, Petitioner reenlisted for 6 years with an EAOS of 13 December 2028. Furthermore, received a zone A SRB.

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[REDACTED]

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 Petitioner was awarded NEC N150 in January 2022 which is listed on reference (c) as being eligible for the STAR Program. The CCC failed to properly submit Petitioner's STAR request to BUPERS-328 for approval. If the request had been submitted properly it would have been approved and Petitioner could have been advanced upon his reenlistment date of 14 December 2022.

RECOMMENDATION

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

Petitioner executed an immediate reenlistment contract (NAVPERS 1070/601) on 14 December 2022 for a term of 6 years and listed "Career designated under MILPERSMAN 1160-100."

Petitioner was advanced to MMN2/E-5 on 14 December 2022.

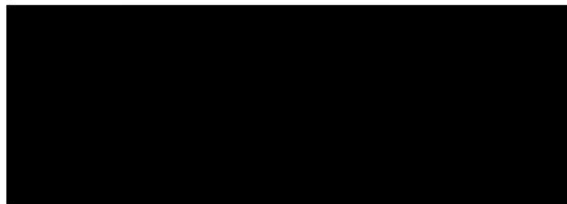
Note: Defense Finance & Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay and allowances.

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.

5/12/2023



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.