



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

██████████
Docket No. 7952-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN,
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Career School Listing, 16 Aug 22
(c) MILPERSMAN 1160-100, 13 Feb 23

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB BUPERS-328, 29 Sep 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 21 April 2023 was for a term of 5 years vice 3 years and was designated as a Selective Training and Reenlistment (STAR) and he was advanced to E-5 upon earning NEC 803R on 14 July 2023.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 5 October 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 17 December 2018, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 16 December 2022 and Soft EAOS (SEAOs) of 16 December 2023.

b. On 1 March 2022, Petitioner was advanced to ABF3/E-4.

c. In accordance with reference (b), a rating/Navy Enlisted Classification (NEC) All/803R (Production Recruiter) with an obliserv of 4/5/6 years was listed with the following notes: 4. Must have completed screening and been selected for Force Recruiting program prior to STAR

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[REDACTED]

approval. 5. Must reenlist for 4, 5, or 6 years IAW source rating requirements per COMNAVCRUITCOMINST 1130.8K. (ex. BM initial enlistment requirement is 4 years, member would have to OBLISERV 4 additional years for STAR approval).

d. On 1 September 2022, Deputy Chief of Naval Personnel notified Petitioner that he was authorized immediate in-rate reenlistment in the active component with an end date of December 2023.

e. In accordance with reference (c), the STAR Program offers career designation to first term enlisted Sailors who reenlist and thereby become eligible for the following career incentives: a. Guaranteed assignment to an appropriate "C" school. b. Possible advancement from petty officer third class (PO3) to petty officer second class (PO2) upon completion of a Class "C" School or a "C" School package, which is listed in NAVEDTRA 10500 and the Career Schools Listing (CSL). Most updated CSL will be located on the MyNavy HR Web page. c. Selective Reenlistment Bonus (SRB), if eligible (not guaranteed).

f. On 13 February 2023, Petitioner was issued official change duty orders (BUPERS order: 0443) with required obligated service to August 2026, while stationed in [REDACTED], [REDACTED], [REDACTED] with an effective date of departure of June 2023. Petitioner's intermediate (01) activity was [REDACTED] [REDACTED] [REDACTED] for temporary duty – under instruction with an effective date of arrival of 10 June 2023. Petitioner's ultimate activity was [REDACTED], [REDACTED], [REDACTED] for duty with an effective date of arrival of 14 August 2023 with a Projected Rotation Date of August 2026.

g. On 15 February 2023, Petitioner signed a command career request (NPPSC 1160/1) requesting a 3-year reenlistment effective 21 April 2023. Petitioner's request was approved by cognizant authority on 2 March 2023.

h. On 21 April 2023, Petitioner reenlisted for 3 years with an EAOS of 20 April 2026.

i. On 1 June 2023, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 10 June 2023 for temporary duty.

j. In July 2023, Petitioner was awarded NEC 803R.

k. On 14 July 2023, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 15 August 2023 for duty.

l. 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

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corrective action. The Board concluded that Petitioner reenlisted on 21 April 2023 for 3 years. Per reference (c) to be eligible for the STAR Program, a member must be on their first enlistment, reenlist for 4, 5, or 6 years, and reenlist prior to having 6 years of continuous active Naval Service. Petitioner was awarded NEC 803R on 14 July 2023 which is listed on reference (b) as being eligible for the STAR Program. Additionally, in accordance with enclosure (2), Petitioner would have to reenlist for a minimum of 5 years to be eligible for STAR. Therefore, the Board determined that because Petitioner agreed to change the term of reenlistment from 3 years to 5 years, he would meet the STAR requirements and he could advance to E-5 effective the day he was awarded NEC 803R.

RECOMMENDATION

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

Petitioner executed an immediate reenlistment contract (NAVPERS 1070/601) on 21 April 2023 for a term of 5 years vice 3 years and listed "Career designated under MILPERSMAN 1160-100."

Petitioner was advanced to ABF2/E-5 on 14 July 2023.

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

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.

10/14/2023

[REDACTED]