



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

[REDACTED]  
Docket No. 8412-16  
DEC 11 2017

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

- Encl:
- (1) DD Form 149 w/attachments
  - (2) C-WAY-REEN Quota Management Plan Business Rules of 7 Jul 14
  - (3) NPC ltr 1440 of 9 Jul 15
  - (4) NAVADMIN 036/16 of 18 Feb 16
  - (5) Reenlistment Request Form of 31 Mar 16
  - (6) SRB Quota Shutdown Addendum to NAVADMIN 036/16
  - (7) COMNAVPERSCOM MILLINGTON TN msg 070040Z APR 16 (SRB Rejection)
  - (8) NMC CWD Det [REDACTED] ltr 1000 Ser N42/028 of 26 Apr 16
  - (9) NMC CWD ltr 1000 Ser N42/028 of 29 Apr 16
  - (10) Immediate Reenlistment Contract (NAVPERS 1070/601) of 22 Jul 16
  - (11) Immediate Reenlistment Contract (NAVPERS 1070/601) of 12 Aug 13
  - (12) [REDACTED] memo 1000 Ser N42 of 22 Sep 16
  - (13) OPNAVINST 1160.8A of 30 Jan 07
  - (14) MILPERSMAN 1160-120
  - (15) CNPC memo 1160 Ser 813/059 of 5 May 17

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting that the applicable naval record be corrected to establish entitlement to a zone "B" Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 15 August 2017 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 records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

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- b. Petitioner entered the Navy on active duty on 4 December 2006, for a term of 4 years.
- c. On 7 July 2014, Career Waypoints (C-WAY) Reenlistment Quota Management Plan Business Rules published the following: "An automatic 13-month expiration date will be assigned to each C-WAY-REEN In-Rate quota. Under extenuating circumstances, C-WAY-REEN In-Rate quotas may be extended by the cognizant Enlisted Community Manager (ECM) for the following reasons: (1) Selective Reenlistment Bonus." See enclosure (2).
- c. On or about 9 July 2015, the Petitioner received a C-WAY Reenlistment status notification letter which authorized the C-Way approval to 31 August 2016. See enclosures (3).
- d. On 18 February 2016, NAVADMIN message was published listing a Tier 3, zone "B" SRB with an award level of 1.0 for the AO rate. See enclosure (4).
- e. On or about 31 March 2016, the Petitioner signed a reenlistment request worksheet requesting SRB authorization with a reenlistment contract of 6 years. See enclosure (5).
- f. On 1 April 2016, Commander, Navy Personnel Command (CNPC) published SRB Quota Shutdown Addendum to NAVADMIN 036/16 changing the SRB award level for rating "AO" NEC/zone "0000/B" from "1.0" to "0.0" with an effective Date of "1 April 2016" and shutdown date of "1 May 2016". See enclosure (6).
- g. On or about 7 April 2016, Petitioner's command received COMNAVPERSCOM MILLINGTON TN msg 070040Z APR 16 informing them of his SRB Rejection. Reason, "The rating/NEC submitted is not eligible for SRB per the most current NAVADMIN. Resubmit the SRB request in its entirety ensuring the rating/NEC is eligible IAW the most current NAVADMIN." See enclosure (7).
- h. On 26 April 2016, Petitioner's command forwarded 35-day waiver request to Office of the Chief of Navy Personnel Command, Navy Pay and Compensation Policy Branch (N130), requesting waiver for Petitioner to reenlist on 22 July 2016 before SRB Quota Shutdown Addendum becomes effective on 1 May 2016 for shutdown. Petitioner submitted his reenlistment request to reenlist for 6 years on 18 March 2016, which was approved by his command on 31 March 2016 but was not submitted in the Navy Standard Integrated Personnel System (NSIPS) until 4 April 2016. Petitioner's Career Counselor received his reenlist on 1 April 2016, however, he was unable to submit Petitioner's request due to electrical outage on base. Later submission resulted in SRB rejection message from COMNAVPERSCOM. See enclosures (7) and (8).
- i. On 29 April 2016, Petitioner's Commanding Officer endorsed the command's letter of 26 April 2016, requesting the 35-day waiver. See enclosure (9).
- j. On or about 22 July 2016, Petitioner executed an Immediate Reenlistment Contract (NAVPERS 1070/601) for a term of 6 years. Prior to Petitioner reenlisting, his End of Active Obligated Service (EAOS) was 11 August 2016. When he reenlisted for 6 years, his EAOS

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changed to 21 July 2022 it put him over his High Year Tenure (HYT) by 2 years. See enclosures (10) and (11).

k. Per MILPERSMAN 1160-120, paragraph 1.b. "Unless HYT approval is authorized by the responsible office noted in paragraph 2; AC, FTS, USNR, and USNR-S1 personnel may only reenlist or extend up to the HYT date for their current pay grade." Petitioner did not have a HYT waiver. See enclosure (14).

l. On 22 September 2016, Petty Officer First Class Schroeder, the Detachment Career Counselor submitted comments and recommendations on Petitioners behalf recounting events leading up to Petitioner's reenlistment, SRB rejection and suggestion to submit BCNR. See enclosure (12).

m. Per OPNAVINST 1160.8A, paragraph 11. "SRB eligibility is limited to members with 17 months of continuous active duty (other than for training) but not more than 14 years of active duty." "Rule 2: Zone B - You must have completed (6 years) - But not more than (10 / note 4: As in note 3 above, a member exactly at 10 years may be entitled to a zone "c" bonus.)." See enclosure (13).

n. In correspondence attached as enclosure (15), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has no merit and warrants no favorable action. The advisory opinion states the following: "A review of the documents provided in the member's request show that the member reenlisted for 6 years on 22 July 2016. At this time there was no SRB award for the AO/0000 rate/NEC combination. The last date to reenlist for this combination was 30 April 2016. Petitioner's Active Duty Service Date (ADSD) is 4 December 2006. Since member is an E-5, MILPERSMAN 1160-120 states that their High Year Tenure (HYT) term is limited to 14 years. Adding 14 to Petitioner's ADSD of 4 December 2006 establishes their HYT as 4 December 2020. Member's 6 year reenlistment violated MILPERSMAN 1160-120." Therefore, Petitioner was not eligible for the SRB zone B, Tire 3, AO/0000, SRB award of 1.0 for the 6 year reenlistment of 22 July 2016. See enclosures (4) and (14).

## CONCLUSION

Upon review and consideration of all the evidence of record, notwithstanding the comments contained in enclosure (15), the Board concludes that Petitioner's request warrants favorable action. The Board substantially found that the following factors favored relief: Petitioner submitted his reenlistment request to reenlist on 22 July 2016 to his command on 18 March 2016. His command did not approve his reenlistment request until 31 March 2016. Petitioner's Career Counselor received the reenlistment request on 1 April 2016. The SRB Quota Shutdown Addendum to NAVADMIN 036/16 was released on 1 April 2016 with an effective date of 1 April 2016 and a shutdown date of 1 May 2016. The Board further found that the base had electrical outage which prevented the command from submitting Petitioner's SRB Reenlistment request at that time. After the SRB Reenlistment request was submitted, the

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request was later returned rejected as evidenced by the COMNAVPERSCOM MILLINGTON TN msg, enclosure (7). Therefore, under these circumstances a measure of relief is warranted.

#### RECOMMENDATION

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

Petitioner executed an Immediate Reenlistment Contract (NAVPERS 1070/601) on or about 30 April 2016 for a term of 4 years, vice 6 years.

This change will entitle the Petitioner to a zone "B" SRB with an award level of 1.0 (\$30,000 dollar award ceiling) for the AO/0000 rate/NEC. Remaining obligated service to 11 August 2016 will be deducted from SRB computation.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

[REDACTED]

Recorder

5. The foregoing action of the Board is submitted for your review and action.

[REDACTED]

Executive Director

Reviewed and Approved/~~Disapproved.~~

[REDACTED]

3 Jan 2018