



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

[REDACTED]
Docket No. 5231-17

MAR 26 2018

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) NPC memo 1160 Ser 813/011 dtd 9 Jan 18
(3) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to remove an immediate reenlistment contract/agreement to extend enlistment, and then issue an agreement to extend enlistment. Furthermore, recalculate zone "A" Selective Reenlistment Contract (SRB).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 February 2018 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.

b. In correspondence 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 Petitioner was ill advised by the Command Career Counselor to execute a 4 year reenlistment on 17 August 2015 and execute a 6 month extension with the intent to obligate service for BUPERS Orders to February 2020. Upon graduating from "C" School, the

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Petitioner executed a 5 year reenlistment on 26 January 2017 and received a zone "A" SRB for the EOD/5333 rate/NEC. Since the Petitioner had an End of Active Obligated Service (EAOS) of 6 August 2019, his SRB payment was reduced. If the Petitioner would have executed a 24 month extension and 9 month administrative remarks entry, he would have received a larger SRB payment.

RECOMMENDATION

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

The immediate reenlistment contract (NAVPERS 1070/601), executed on 7 August 2015, is null and void.

The 6 month agreement to extend enlistment (NAVPERS 1070/621), executed on 20 October 2015, is null and void.

The Petitioner executed a 24 month agreement to extend enlistment (NAVPERS 1070/621), on 20 July 2015.

The Petitioner executed on 20 July 2015 an administration remarks (NAVPERS 1070/613); fulfilling a 9 month agreement to extend enlistment operative on or about 15 May 2019. This will satisfy the Petitioner's obligated service requirements BUPERS Orders 2015. Note: these changes do not affect Petitioner's current EAOS/SEAOS.

The Petitioner's previous zone "A" SRB payment should be adjusted to reflect recent zone "A" SRB entitlement.

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

4. It is certified that 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. 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director