



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

[REDACTED]
Docket No. 8429-23
Ref: Signature Date

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

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

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, 13 Oct 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 5 April 2023 was designated as a Selective Training and Reenlistment (STAR), and that he was advanced to E-5 upon reenlistment.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 4 April 2024 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. Selective Reenlistment Bonus (SRB), if eligible.

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- b. On 29 July 2020, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 28 July 2024 and Soft EAOS (SEAOS) of 28 July 2026.
- c. In September 2020, Petitioner was awarded Navy Enlisted Classification (NEC) N91T.
- d. On 16 April 2021, Petitioner was advanced to ENM3/E-4.
- e. On 18 April 2022, Petitioner was issued official change duty orders (BUPERS order: 1082), while stationed in [REDACTED] with an effective date of departure of June 2022. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 21 July 2022 with a Projected Rotation Date (PRD) of January 2027.
- f. In June 2022, Petitioner was awarded NEC N14O.
- g. On 17 June 2022, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 21 July 2022 for duty.
- h. In accordance with reference (c), a rating/Navy Enlisted Classification (NEC) EMN-N14O/N24O (Nuclear Propulsion Plant operator - Electrical) with an obliserv of 6 years was listed with the following notes: "1. MPM 1160-100 OUTLINES the OBLISERV requirements for STAR program reenlistment."
- i. On 24 January 2023, Petitioner signed a command career request (NPPSC 1160/1) requesting a 6 year reenlistment. Petitioner's request was approved on 25 January 2023 by cognizant authority.
- j. On 30 January 2023, Petitioner signed an administrative Remarks (NAVPERS 1070/613) for the following: "Should I be disenrolled from the STAR program voluntarily, because of academic failure, my own misconduct, or my failure to maintain program eligibility requirements, I understand I am no longer eligible for any STAR program benefits. I further understand that I am not eligible for reduction of obligated service incurred."
- k. On 30 January 2023, Petitioner signed an administrative Remarks (NAVPERS 1070/613) for the following: "Per BUPERSINST 1430.16G, I have been advanced to the rank of Second-Class Petty Officer this date under the STAR Reenlistment Program."
- l. On 30 January 2023, Petitioner signed an administrative Remarks (NAVPERS 1070/613) for the following: "Reenlisted this date, entitled to SRB based on EMN / N140, SRB Zone A. The total SRB entitlement is \$78,683.40. First installment of \$3,9341.70 paid. Member has acknowledged that approval of a possible future request for advance of remaining amount payment is not automatic but is dependent on funds available and his/her need relative to others requesting similar payments.
- m. On 30 January 2023, Petitioner reenlisted for 6 years with an EAOS of 29 January 2019 and received a Zone A SRB.

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n. On 15 August 2023, Command Career Counselor from the [REDACTED] notified BCNR that, "As the Command Career Counselor (CCC) for [REDACTED] I am sending this statement regarding the circumstances of [REDACTED]'s STAR reenlistment paperwork. It was completely my fault that a STAR Approval request was not submitted prior to STAR reenlisting [REDACTED] on 30JAN 23. From January 2023 to April 2023 I had not gone to the CCC school and was operating solely off of training provided by my predecessor and what I have seen work with recent STAR Reenlistments. I was trained that STAR approval request were no longer required to be submitted. Previous STAR Reenlistments were processed successfully without the STAR approval, and I was new to this program so I did not question the training given, and continued to submit paperwork in the same manner. [REDACTED] reenlisted under the assumption that all needed paperwork was completed for him to successfully STAR reenlist and get advanced. It is completely my fault for not submitting the STAR request IAW the MILPERSMAN. Since then, I have been to CCC school and had ISIC training conducted on how to submit STAR request and the proper requirements for them to process successfully."

o. 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 corrective action. The Board concluded that Petitioner was awarded NEC N130 in June 2022 which is listed on reference (b) as being eligible for the STAR Program. If the CCC had submitted the STAR request to BUPERS-328, it would have been approved, and Petitioner would have advanced to E-5 upon his reenlistment date of 30 January 2023.

RECOMMENDATION

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

Petitioner executed an immediate reenlistment contract (NAVPERS 1070/601) on 30 January 2023 for a term of 6 years and listed "Career designated under MILPERSMAN 1160-100."

Petitioner was advanced to EMN2/E-5 on 30 January 2023.

Note: The Board for Correction of Naval Records (BCNR) will not take any action with the Defense Finance and Accounting Service for payment. Petitioner's payment will not be funded by the BCNR's Claims Line of Accounting (LOA). The Navy will secure funding and will use the Navy's LOA to pay Petitioner any pay entitlements due.

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

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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.

4/12/2024

