



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

██████████
Docket No. 9873-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USNR,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) FY24 SELRES Enlisted Recruiting and Retention Incentives Program
(c) RESPERSMAN 1100-020, Reserve Enlisted Incentives

Encl: (1) DD Form 149 w/attachments
(2) DD Form 4, Enlistment/Reenlistment Document, 16 Jul 15
(3) Statement of Service for Navy Reserve Retirement
(4) Member Data Summary, 18 Apr 24
(5) History of Assignments, 18 Apr 24
(6) Navy Standard Integrated Personnel System Contract Information, 18 Apr 24
(7) NAVPERS 1070/601, Immediate Reenlistment Contract, 14 Nov 23
(8) NAVPERS 1070/613, Administrative Remarks, 14 Nov 23
(9) Advisory Opinion by CNRFC (N1), 9 Jan 24

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 cancel the 14 November 2023 reenlistment contract due to being ineligible for the Fiscal Year 2024 Reserve Selective Retention Bonus (SRB).

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 25 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 16 July 2015, Petitioner enlisted in the Naval Reserve for 8 years of which 4 years was an active duty obligation. See enclosure (2).

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b. On 11 August 2015, Petitioner entered active duty, establishing his Pay Entry Base Date. See enclosures (3) and (4).

c. On 10 January 2021, Petitioner discharged and affiliated with the drilling Navy Reserve ([REDACTED]) effective 11 January 2021. See enclosures (3) and (5).

d. On 4 December 2022, Petitioner reenlisted in the Navy Reserve for 2 years; end of obligated service (EOS) 3 December 2024. See enclosure (6).

e. On 14 November 2023, Petitioner reenlisted in the Navy Reserve for 6 years; contract indicated "reenlisting for SRB." The reenlisting officer and Petitioner before a witness signed "Selective Reenlistment Bonus" NAVPERS 1070/613, Administrative Remarks indicating entitlement to a Zone B SRB. See enclosures (7) and (8).

f. On 9 January 2024, Commander, Navy Reserve Forces Command (CNRFC) provided an advisory opinion (AO) to enclosure (1) erroneously indicating the case file "does not include any evidence indicating the member was misinformed by his chain of command regarding the eligibility for a reenlistment bonus or an injustice occurred prior to the member reenlisting." Therefore, CNRFC concluded there was no evidence warranting an adjustment or cancellation of Petitioner's reenlistment. However, the AO further stated, "if the board cancels the member's current contract, COMNAVRESFORCOM N1 cannot guarantee a Selective Retention Bonus for a future fiscal year." See enclosure (9).

BOARD CONCLUSION

Upon careful review and consideration of all the evidence of record, the Board found sufficient evidence of an injustice warranting relief.

The Board did not believe the AO properly addressed enclosure (1) based on enclosures (7) and (8) which provided clear evidence that Petitioner believed that he would receive a bonus upon reenlisting. The Board agreed with the AO, "if the board cancels the member's current contract" that there is no guarantee a SRB for future fiscal year. Therefore, the Board concluded that had Petitioner received adequate counseling regarding his ineligibility for a SRB in accordance with references (b) and (c),¹ he would not have reenlisted prior to Fiscal Year 2025. Therefore, the Board determined that under this circumstance, relief is warranted.

BOARD RECOMMENDATION

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record:

¹ Reference (b), Reserve enlisted incentive specific guidance related to include service obligations, eligibility and application procedures are found in reference (c). Additionally, the reference indicated Sailors in the Gunner's Mate rating that reenlisted for 3 years within Zone B were eligible for a Tier 1, \$20,000 Reserve SRB with an initial payment of \$10,000 and two anniversary payments of \$5,000. Reference (c) specified the criterion for enlisted personnel to receive a Reserve SRB includes the member will reenlist in the same fiscal year as their EOS.

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Petitioner's NAVPERS 1070/601, Immediate Reenlistment Contract dated 14 November 2023 for 6 years is null and void. Note: This action will revert Petitioner's EOS to 3 December 2024.

That a copy of this report of proceedings 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 titled 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.

5/31/2024

