



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

[REDACTED]
Docket No. 2350-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) Career School Listing (CSL), 16 Aug 22
(c) MILPERSMAN 1160-100, 13 Feb 23
(d) FY24 SRB Award Plan (N13 SRB 001/FY24), 3 Oct 23

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by CMSB memo 1160 Ser B328/037, 14 Mar 24
(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 reenlisted on 3 November 2023 for 5 years and the reenlistment was designated as a Selective Training and Reenlistment (STAR), that he was advanced to E-5 upon meeting eligibility requirements, and Petitioner was eligible for and received a Selective Reenlistment Bonus (SRB).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 11 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. On 5 December 2017, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 4 December 2021 and Soft EAOS (SEAOS) of 4 December 2022.

b. In October 2018, Petitioner was awarded Navy Enlisted Classification (NEC) L03A.

c. On 21 July 2020, Petitioner was issued official change duty orders (BUPERS order: 2030) with required obligated service to November 2023, while stationed in [REDACTED] with an effective date of departure of October 2020. Petitioner's ultimate activity was [REDACTED]

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[REDACTED] for duty with an effective date of arrival of 13 November 2020 with a projected rotation date (PRD) of November 2023.

d. On 31 August 2020, Petitioner signed an agreement to extend enlistment for 11 months with an SEAOS of 4 November 2023 in order to incur sufficient obligated service to execute BUPERS order 2030.

e. On 25 September 2020, Petitioner was issued official modification to change duty orders (BUPERS order: 2030) while stationed in [REDACTED] with an effective date of departure of November 2020. Petitioner's ultimate activity was [REDACTED] [REDACTED] for duty with an effective date of arrival of 14 December 2020 with a PRD of December 2023.

f. On 16 November 2020, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 14 December 2020 for duty.

g. On 16 September 2021, Petitioner was advanced to HM3/E-4.

h. In accordance with reference (b), rating-NEC HM-L32A (Respiratory Tech) with an obliserv of 5 years was listed with the following notes: MPM 1160-100 outlines the OBLISERV requirements for STAR program reenlistment.

i. 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).

j. On 3 April 2023, Petitioner was issued official change duty orders (BUPERS order: 0933) with required obligated service to August 2027, while stationed in [REDACTED] [REDACTED] with an effective date of departure of December 2023. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 7 January 2024 with a PRD of August 2024. To include 228 days at [REDACTED] graduation date 26 August 2024.

k. On 6 June 2023, Navy Standard Integrated Personnel System/Electronic Service Record shows a 10-month agreement to extend enlistment with an SEAOS of 4 September 2024.

l. On 14 September 2023, Petitioner was issued official modification to change duty orders (BUPERS order: 0933) with required obligated service to August 2027, while stationed in [REDACTED] [REDACTED] with an effective date of departure of December 2023. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 7 January 2024 with a PRD of August 2024.

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m. In accordance with reference (d), FY24 SRB Award Plan (N13 SRB 001/FY24), a Zone “A” SRB with an award level of 1.0 (\$30,000 award ceiling) for the HM rate was listed.

n. On 4 December 2023, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 3 January 2024 for duty.

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 on 3 April 2023, Petitioner was issued official BUPERS order: 0933 to earn skill set HM/L32A with required obligated service to August 2027. HM/L32A is listed in reference (b) as being eligible for the STAR Program. Petitioner reached 6 years of continuous active naval service on 4 December 2023. To meet the requirements of the STAR Program he should have reenlisted prior to detaching from [REDACTED] on 4 December 2023. Instead, Petitioner was erroneously approved for a 10-month extension of enlistment as OTT to meet the OBLISERV. Petitioner should have been advised to reenlist under the STAR Program on 3 November 2023 for a term of 5 years. Petitioner would have received a Zone A SRB and he would be advanced upon graduation, scheduled on 26 August 2024.

RECOMMENDATION

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

Petitioner’s 10-month agreement to extend enlistment (NAVPERS 1070/621) operative on 5 November 2023 is null and void.

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

Note: Petitioner will be advanced to HM2/E-5 upon meeting eligibility requirements.

Note: This change will entitle the member to a Zone “A” SRB with an award level of “1.0” (30,000-dollar award ceiling) for the HM rate. Remaining obligated service to 4 November 2023 will be deducted from SRB computation.

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

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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.

4/22/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]