



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

[REDACTED]  
Docket No. 7682-24  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) NAVADMIN 175/10, 14 May 10

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by CMSB memo 1160 Ser B328/221, 30 Dec 24  
(3) Advisory opinion by CMSB memo 1160 Ser B328/006, 25 Jan [22]  
(4) 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 the reenlistment of 14 September 2010 for 3 years was cancelled and was replaced with a NAVPERS 1070/613 (Administrative Remarks) page agreeing to obligated service an additional 14 months to meet the required obligated serve out to June 2014. Additionally, Petitioner requests an additional pay bump due to change from 2012 to 2024 value of the dollar and member's 9.34% for missed out investment rate of return which member has maximum in Thrift Savings Plan (TSP).

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 January 2025 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 16 April 2007, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 15 April 2011 and Soft EAOS of 15 April 2013.

b. On 4 September 2007, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 26 September 2007 for duty.

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c. In November 2008, Petitioner was awarded Navy Enlisted Classification (NEC) 801A.

d. In accordance with reference (b), a Zone "A" SRB with an award level of 5.5 (\$75,000 award ceiling) for the SO/5326 rate/NEC was listed.

e. On 18 June 2010, Petitioner was issued official change duty orders (BUPERS order: 1690) with required obligated service to June 2014, while stationed in [REDACTED] with an effective date of departure of September 2010. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 21 September 2010. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 22 January 2011 with a Projected Rotation Date (PRD) of July 2011. Furthermore, the following was listed: "Obligated service to Jun 2014 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization is authorized to obligate for these orders and prior to transfer... Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106. para 4. Use of NAVPERS 1070/613 entries are only authorized for SRB eligible sailors. Use of NAVPERS 1070/613 for periods of more than 12 months requires NAVPERSCOM (pers-81) authorization."

f. On 14 September 2010, Petitioner reenlisted for 3 years with an EAOS of 13 September 2013.

g. On 20 September 2010, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 4 January 2011 for duty under instruction.

h. On 19 October 2011, Petitioner was issued official change duty orders (BUPERS order: 2921) with required obligated service to November 2014, while stationed in [REDACTED] with an effective date of departure of November 2011. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 10 November 2011. Petitioner's intermediate (02) activity was [REDACTED] for temporary duty with an effective date of arrival of 10 December 2011. Petitioner's ultimate activity was [REDACTED] for duty under instruction with an effective date of arrival of 1 January 2012 with a PRD of June 2012. Furthermore, the following was listed: "Obligated service to Nov 2014 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization is authorized to obligate for these orders and prior to transfer... Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106. para 4. Use of NAVPERS 1070/613 entries are only authorized for SRB eligible sailors use of NAVPERS 1070/613 for periods of more than 12 months requires NAVPERSCOM (PERS-81) authorization."

i. On 12 November 2011, Petitioner transferred from [REDACTED] and arrived to [REDACTED] on 9 December 2011 for duty under instruction.

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[REDACTED]

j. In June 2012, Petitioner was awarded NEC O26A (Legacy NEC code: 5326).

k. On 29 June 2012, Petitioner was issued official change duty orders (BUPERS order: 1812) with required obligated service to January 2017, while stationed in [REDACTED] with an effective date of departure of August 2012. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 5 October 2012 with a PRD of January 2017. Furthermore, the following was listed: "Obligated service to Jan 2017 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization is authorized to obligate for these orders and prior to transfer. Your initial point of contact for questions about obligated service is your command career counselor (CCC). Circumstances such as potential monetary loss under critical skills bonus or SRB, refer to MILPERSMAN 1306-106. para 4. Use of NAVPERS 1070/613 entries are only authorized for SRB eligible sailors. Use of NAVPERS 1070/613 for periods of more than 12 months requires NAVPERSCOM (PERS-81) authorization."

l. On 30 August 2012, [REDACTED] issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "Reenlisted this date. Entitled to SRB based on RATE RATING/NEC SRB Zone A Award Level 020 total SRB entitlement is \$13,221.24 First installment of \$6,610.62 authorized for payment. Member acknowledges that approval of advance or remaining amount payment is not automatic but dependent on funds available and hardship relative to others requesting similar payment."

m. On 30 August 2012, Petitioner reenlisted for 4 years with an EAOS of 29 August 2016 and received a Zone A SRB.

n. On 31 August 2012, Petitioner transferred from [REDACTED] and arrived at [REDACTED] on 1 October 2012 for duty.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that Petitioner received orders 1690 detaching from [REDACTED] to attend [REDACTED] training with a required obligated service out to June 2014. On 14 September 2010, Petitioner reenlisted for 3 years. The Board determined that Petitioner should have been advised to sign a NAVPERS 1070/613 to meet the obligated service to June 2014 then reenlist upon gaining the NEC 5326. Furthermore, on 30 August 2012, Petitioner reenlisted for 4 years and received a Zone A SRB and would have received an additional 5 months of Additional Obligated Service. Finally, the Board determined that Petitioner's TSP contributions will be audited by the Defense Finance and Accounting Service (DFAS).

## RECOMMENDATION

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

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[REDACTED]

Petitioner's 3-year immediate reenlistment contract (NAVPERS 1070/601) executed on 14 September 2010 is null and void.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 14 September 2010 agreeing to extend enlistment for 14 months for obligated service to June 2014.

Note: On 30 August 2012, Petitioner reenlisted for 4 years and received a Zone A SRB. The remaining obligated service to "15 April 2013" will be deducted from SRB computation vice "13 September 2013." Furthermore, the DFAS will complete an audit of Petitioner's pay records to determine if Petitioner is due any back pay and will audit TSP contributions accordingly. Finally, remaining of his reenlistment contracts remain in effect as written.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That no further changes be made to 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.

2/5/2025

