



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

DJC
Docket No. NR12688-14
2 Dec 14

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1160 Ser 813/282 dtd 18 Nov 14
(3) OCNO memo 5420 Ser N133D/707 dtd 25 Nov 14
(4) 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 cancel an agreement to extend enlistment, and then cancel and issue, an immediate reenlistment contract.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 1 December 2014 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, 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 enclosures (2) and (3), 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 enclosures (2) and (3), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

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

a. The 20 month agreement to extend enlistment (NAVPERS 1070/621), operative on or about 9 January 2013, is null and void.

b. The immediate reenlistment contract (NAVPERS 1070/601), executed on or about 6 September 2014, is null and void.

c. The Petitioner was discharged on 28 June 2011 and reenlisted, on 29 June 2011. The term is 6 years.

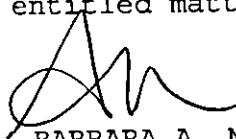
d. This change will entitle the member to a zone "B" SRB with an award level of 0.5 (\$60,000 dollar award ceiling) for the FT/13XX rate/NEC. Remaining obligated service to 8 January 2013 will be deducted from SRB computation.

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

f. Note: the Enlisted Submarine Pay Program monitor (N133D3 at (703) 604-5502) will, via Defense Finance and Accounting Services (DFAS), adjust (Start Date) CONSUBPAY entitlement effective 20 July 2011, vice 6 September 2014.

g. 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.



BARBARA A. NAHULAK
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.

2 Dec 14



ROBERT J. O'NEILL
Executive Director