



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

MMK
Docket No. 882-21
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

Encl: (1) DD Form 149 w/attachments
(2) CMSB memo 1160 Ser B328/033 of 23 Feb 21
(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 agreement to extend enlistment (NAVPERS 1070/621) executed on 31 October 2017 reflects he enlisted in the UNITED STATES NAVY on "4 December 2017" vice "4 December 2018", with a new contract expiration date of "3 December 2022" vice "3 December 2023".

2. The Board, consisting of [REDACTED], [REDACTED] and [REDACTED], reviewed Petitioner's allegations of error and injustice on 7 October 2021 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department.

b. On 31 October 2017, Petitioner enlisted for 8 years in the U.S. Naval Reserve. Furthermore, Petitioner signed an agreement to extend enlistment for 12 months with an erroneous end of active obligated service (EAOS) of 3 December 2023.

c. On 4 December 2017, Petitioner entered active duty for 4 years. Furthermore, Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "A" for Gunners Mate (GM/5YO) Class "A" School Guarantee (T+X) and voluntarily extended of an additional 12 months of active service.

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d. In correspondence 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. Due to administrative error, NAVPERS 1070/621 dated 31 October 2017 listed an enlistment date of 4 December 2018 and contract expiration date of 3 December 2023.

RECOMMENDATION

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

The 12 month agreement to extend enlistment (NAVPERS 1070/621) executed on 31 October 2017 listed: having enlisted in the UNITED STATES NAVY/NAVY RESERVE on "4 December 2017" vice "4 December 2018." Furthermore, I understand my new contract expiration date to be "3 December 2022" vice "3 December 2023," with a PEBD of "4 December 2017" vice "4 December 2018."

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 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.

11/4/2021

[REDACTED]
Deputy Director
[REDACTED]