



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

[REDACTED]  
Docket No 7718-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED], USNR,  
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 1160-030, 24 Apr 13

Encl: (1) DD Form 149 w/attachments  
(2) 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 24 May 2017 for a period of 4 years.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 November 2022 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 of the Navy.

b. On 8 June 2010, Petitioner enlisted in the U.S. Naval Reserve for 8 years with an Expiration of Obligated Service (EOS) of 7 June 2018.

c. On 15 February 2011, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 14 February 2015 and Soft End of Active Obligated Service (SEAOS) of 14 February 2017.

d. In accordance with reference (b), the term of enlistment or reenlistment in the Navy Reserve for personnel on inactive duty shall be for 2, 3, 4, 5, or 6 years. Members initially enlisted Regular Navy who are completing their statutory military service obligation (MSO) in a

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Navy Reserve capacity may enlist in the Navy Reserve for a term of 2, 3, 4, 5, or 6 years, provided such enlistment is effected under continuous service conditions.

e. Petitioner was released from active duty and transferred to the Naval Reserve with an Honorable character of service and was issued a Certificate of Release or Discharge from Active duty (DD Form 214) for the period of 15 February 2011 for 14 February 2017 upon completion of required active service.

f. On 9 May 2017, Petitioner signed a Enlisted Application and Orders to a Naval Reserve Unit (CNAVRES 1326/4) with an expiration obligated service of 25 May 2021, and the Commanding Officer, [REDACTED] assigned him to [REDACTED] in a drill pay status effective May 2017. Furthermore, Petitioner signed and accepted the foregoing assignment fully understanding that while engaged in training pursuant thereto and should be subject to the provisions of the Uniform Code of Military Justice on 24 May 2017. Commanding Officer signed on 25 May 2017.

g. On 24 May 2017, Petitioner was erroneously reenlisted in the U.S. Naval Reserve for 8 years, with an additional 2 years with a Soft Expiration of Reserve Enlistment (EREN) of 23 May 2027.

h. On 7 November 2021, Petitioner's Reporting Senior signed a Regular Evaluation Report and Counseling Record for the period of 16 November 2020 to 15 November 2021. This was a Periodic report and Petitioner received Promotable and Retention recommendations.

i. On 17 November 2021, Petitioner completed his last drill and earned 2 drill Pay schedule points.

j. On 10 December 2021, Petitioner was discharged and was eligible for reenlistment.

k. On 16 March 2022, Commander, Navy Recruiting Command notified BCNR that Commander Navy Recruiting Command (CNRC) does not have purview over service member's EAOS adjustments. However, prior service enlistment contracts average 4-years. CNRC does not have the authority to initiate a 10-year enlistment contract.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b) and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that in accordance with reference (b), Petitioner would not have been approved for a 10 year reenlistment. There is evidence in Petitioner's OMPF that his end of obligated service was 25 May 2021, which would have been consistent with a 4 year reenlistment; however, due to administrative error, Petitioner's reenlistment contract information erroneously lists a total of 10 years.

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## RECOMMENDATION

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

Petitioner executed an Enlistment/Reenlistment Document Armed Forces of the United States (DD Form 4) on 24 May 2017 for a term of 4 years in the U.S. Naval Reserve. Note: That any other entries affected by the Board's recommendation be corrected.

Petitioner executed an agreement to extend enlistment (NAVPERS 1070/621) for 6 months operative 24 May 2021.

Petitioner was discharged on 23 November 2021 vice 10 December 2021.

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.

11/23/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]