



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

[REDACTED]
Docket No. 7874-21
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) CMSB memo 1160 Ser B328/142 of 16 Dec 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 extended for 24 months via Administrative Remarks (NAVPERS 1070/613) vice Agreement to Extend Enlistment (NAVPERS 1070/621).

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 February 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 21 January 2018, Petitioner reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 20 January 2022.

c. On 24 January 2018, Petitioner signed an agreement to extend enlistment for 8 months with a Soft End of Active Obligated Service (SEAOS) of 20 September 2022 in order to incur sufficient time to receive full critical skills retention bonus.

d. On 13 January 2021, Petitioner was issued official change duty orders (BUPERS order: 0131) with a required obligated service to September 2024, while stationed in [REDACTED] with an effective date of departure of June 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 31 July 2021.

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e. On 8 March 2021, Petitioner was issued official modification to change duty orders (BUPERS order: [REDACTED]) with a required obligated service to September 2024, while stationed in [REDACTED] with an effective date of departure of June 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 31 July 2021.

f. On 30 March 2021, Petitioner signed a Command Career Request (NPPSC 1160/1) for an agreement to extend enlistment for 24 months, and it was approved by cognizant authority on 1 April 2021.

g. On 1 April 2021, Petitioner signed an agreement to extend enlistment for 24 months with a SEAOS of 20 September 2024 in order to incur sufficient obligated service to execute BUPERS order: 0131.

h. On 12 October 2021, Petitioner's Electronic Personnel Action Request (NAVPERS 1306/7) requesting to cancel 24-month extension, due to significant monetary loss for Critical Skills Retention Bonus (CRSB) eligibility in September 2022. Petitioner's request was approved by cognizant authority on 18 October 2021.

i. On 26 October 2026, Branch Head, Community Management Support Branch (BUPERS-328), Bureau of Naval Personnel notified Petitioner that extension cancellation request was disapproved. Member signed OBLISERV for orders and subsequently executed orders.

j. 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. The Board concluded that on 13 January 2021 Petitioner received BUPERS Orders: 0131 requiring him to obligate service to September 2024. In order to prevent potential monetary loss of Selective Reenlistment Bonus (SRB), obligate service should be placed on an Administrative Remarks. The Command Career Counselor should have requested authorization from BUPERS-328 to place 24 months of extension on an Administrative Remarks; however, Petitioner was advised to execute a 24-month extension via an agreement to extend enlistment resulting in a SEAOS of 20 September 2024.

RECOMMENDATION

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

The 24-month agreement to extend enlistment (NAVPERS 1070/621) executed on 1 April 2021 is null and void. Note: This will establish an EAOS of 20 September 2022.

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Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 1 April 2021; fulfilling a 24-month agreement to extend enlistment operative on 21 September 2022 in order to incur sufficient obligated service to execute BUPERS order: 0131.

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.

3/3/2022

[REDACTED]

Deputy Director

[REDACTED]