



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

[REDACTED]
Docket No. 605-22
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 B328/013 of 31 Jan 22
(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 his naval record be corrected to show his Soft End of Active Obligated Service (SEAOS) is 24 September 2022.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 8 March 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 1 June 2016, Petitioner enlisted in the U.S. Naval Reserve for 8 years as an E-1 with an EOS of 31 May 2024.

c. On 1 June 2016, Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "A" to DD Form 4 dated 25 May 2016 listing the following option: Machinist's Mate (MMS15YO) Class "A" School Guarantee T+X(SUBVOL), requiring 4 years active duty obligation and a voluntary extension of 12 months to meet the rating.

d. Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "B" to DD Form 4 dated 1 June 2016 listing the following option: Advanced Technical Field Explosive Ordnance Disposal (ATF-EOD 6YO) Challenge Program, requiring 4 years active duty obligation and a voluntary extension of 24 months to meet the rating.

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e. On 22 March 2017, Petitioner signed an agreement to extend enlistment (NAVPERS 1070/621) for 12 months with an SEAOS of 24 September 2022 in order to obligate for "Training in the Advanced Technical Field (ATF), MILPERSMAN 1510-030."

f. On 22 March 2017, Petitioner signed an agreement to extend enlistment (NAVPERS 1070/621) for 12 months with an SEAOS of 24 September 2023 in order to obligate for "Advancement to rate and grade per MILPERSMAN 1430-030."

g. On 25 September 2017, Petitioner entered active duty for 4 years with an EAOS of 24 September 2021 and SEAOS of 24 September 2023.

h. On 5 October 2017, Petitioner signed an agreement to extend enlistment (NAVPERS 1070/621) for 12 months with an SEAOS of 24 September 2022 in order to obligate for "Training in the Advanced Technical Field (ATF), MILPERSMAN 1510-030."

i. On 5 October 2017, Petitioner signed an agreement to extend enlistment (NAVPERS 1070/621) for 12 months with an SEAOS of 24 September 2023 in order to obligate for "Advancement to rate and grade per MILPERSMAN 1430-010."

j. On 23 October 2017, Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "C" to DD Form 4 dated 1 June 2016 listing the following option: Advanced Technical Field Explosive Ordnance Disposal (ATF-EOD 6YO) Challenge Program, requiring 4 years active duty obligation and a voluntary extension of 12 months to meet the rating.

k. On 22 November 2017, Petitioner completed Recruit Basic Military Training and was advanced to SA/E-2.

l. On 24 January 2018, Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "C" to DD Form 4 dated 1 June 2016 listing the following option: Quartermaster (QM/SVO) Class "A" School Guarantee (T+X), requiring 4 years active duty obligation and a voluntary extension of 12 months to meet the rating.

m. On 24 January 2018, Petitioner's agreement to extend enlistment (NAVPERS 1070/621) for 12 months was cancelled per MILPERSMAN 1160-040.

n. 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 Petitioner originally classified for the Advanced Technical Field Explosive Ordnance Disposal (ATFEOD 6YO) Challenge Program. He reclassified for the QM Program, which is a 5-year program rather than a 6 year program. At the

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time of reclassification, Petitioner's previous extensions of enlistment should have been cancelled and a new one created to meet the service obligation of the QM Program.

RECOMMENDATION

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

Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex "D" vice "C" to DD Form 4 dated 1 June 2016 on 24 January 2018 listing the following option: Quartermaster (QM/SVO) Class "A" School Guarantee (T+X), requiring 4 years active duty obligation and a voluntary extension of 12 months to meet the rating.

Petitioner executed a 12-month agreement to extend enlistment (NAVPERS 1070/621) on 24 January 2018 with an EAOS of 24 September 2022.

Note: All prior agreements to extend enlistment (NAVPERS 1070/621) are null and void.

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.

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.

4/1/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]