



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

[REDACTED]
Docket No 2284-22
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) CMBS memo 1160 Ser B328/079, 2 Aug 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 that his naval record be corrected to cancel Petitioner's contract dated 4 May 2021 and the Expiration of Active Obligated Service (EAOS) be reset to reflect 6 September 2022.

2. The Board, consisting of [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 11 August 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 27 February 2013, Petitioner entered active duty.

c. On 7 September 2018, Petitioner reenlisted for 4 years with an EAOS of 6 September 2022.

d. On 4 March 2021, Petitioner signed a command career request (NPPSC 1160/1) for a 6 year reenlistment effective 4 May 2021. Petitioner's request was approved by cognizant authority on 24 March 2021.

e. On 4 May 2021, Petitioner reenlisted for 6 years with an EAOS of 3 May 2027.

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f. On 14 June 2021, Petitioner was issued official change duty orders (BUPERS order: 1651) with required obligated service to January 2027, while stationed in [REDACTED] with an effective date of departure of July 2021. Petitioner's Intermediate (1) activity was [REDACTED] for temporary duty with an effective date of arrival of 28 July 2021. Petitioner's Intermediate (2) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 13 August 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 14 January 2022 and a Projected Rotation Date (PRD) of January 2027. Obligated service to January 2027 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. Early reenlistment authorization refer to NAVADMIN 150-13. Petitioner's initial contact for questions about OBLISERV is the Command Career Counselor (CCC). OBLISERV must be obtained within 30 days of receipt of these orders and prior to transfer.

g. On 1 July 2021, Petitioner transferred from [REDACTED].

h. On 8 July 2022, Commanding Officer, [REDACTED] notified BCNR that it is his belief that Petitioner was erroneously re-enlisted on 4 May 2021 while stationed at [REDACTED] Naval Shipyard. The service member had a pending contract in Standard Integrated Personnel System (NSIPS) but he did not re-enlist, nor is there evidence that the contract was never signed by Petitioner. Email Correspondence between [REDACTED] and [REDACTED] is submitted to show the conclusion that Petitioner was erroneously re-enlisted, through evidence that an enlistment contract was submitted without his signature, with concurrence from Training Support Center (TSC) [REDACTED] and [REDACTED].

Petitioner is requesting to adjust his current EAOS from 3 May 2027 to 6 September 2022, the expiration of his last valid service contract.

i. On 21 July 2022, Commander, [REDACTED] notified BCNR that Petitioner was erroneously reenlisted on 4 May 2021. While stationed at [REDACTED] Naval Shipyard [REDACTED], Petitioner submitted his Command Career Request NPPSC 1160/1 for an intended reenlistment date of 4 May 2021. However, [REDACTED] has no record of Petitioner actually executing this reenlistment contract. [REDACTED] believes an error was made in which his NPPSC 1160/1 was processed without Petitioner signing the form. Furthermore, the Command Career Counselor received confirmation via email with Mr. [REDACTED] Separations and Retirements Department Head, TSC [REDACTED] that evidence shows this to be the case.

j. On 25 July 2021, Petitioner arrived to [REDACTED] for temporary duty.

k. In December 2021, Petitioner was awarded with NEC U12A.

l. On 14 December 2021, Petitioner transferred from [REDACTED], arrived to [REDACTED] on 31 December 2021 for duty.

m. 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.

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[REDACTED]

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 NSIPS reflects a 6-year term reenlistment contract was processed on 4 May 2021 resulting in Petitioner's EAOS of 3 May 2027. His chain of command has provided documentation that supports his intent to reenlist but certified that the reenlistment was never executed. After further review of the supporting documents provided and Transaction Service Center, [REDACTED] validating the contract was released without Petitioner's signature, the Board determined that the reenlistment contract was released in NSIPS in error. Furthermore, the Board agreed that a 3-month agreement to extend enlistment was required to allow Petitioner sufficient time to submit for reenlistment and Selective Reenlistment Bonus if applicable.

RECOMMENDATION

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

Petitioner's 6-year immediate reenlistment contract (NAVPERS 1070/601) executed on 4 May 2021 is null and void. Note: this will reestablish an EAOS of 6 September 2022.

Petitioner executed an Administrative Remarks (NAVPERS 1070/613) on 14 June 2021, certifying obligated service to January 2027 required by BUPERS order: 1651.

Petitioner executed a 3-month agreement to extend enlistment (NAVPERS 1070/621) operative on 7 September 2022 with an SEAOS of 6 December 2022.

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.

[REDACTED] 8/24/2022

Deputy Director

Signed by [REDACTED]