



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

[REDACTED]  
Docket No. 8465-22  
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) Advisory Opinion by CMSB memo 1160 Ser B328/128, 16 Nov 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 show Petitioner's Expiration of Active Obligated Service (EAOS) reflects 2 October 2025.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 December 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. On 24 October 2018 Petitioner reenlisted for 5 years with an EAOS of 23 October 2023, and on 10 November 2020 reenlisted for 6 years with an EAOS of 9 November 2026.

b. On 12 November 2020 Petitioner was issued official change duty orders (BUPERS order: 3170) with required obligated service to April 2025, while stationed in [REDACTED] with an effective date of departure of March 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 12 April 2021, with a Projected Rotation Date of April 2025. Obligated service to April 2025 was required for this assignment which may have been satisfied by reenlistment or extension of enlistment. OBLISERV must be obtained within 30 days of receipt of these orders and prior to transfer. Advise PERS-40 within 30 days of receipt of these orders if member does not desire to obligate.

c. On 18 November 2022 the Commanding Officer, [REDACTED] notified BCNR that during the last quarter of 2020, several Sailors were sent erroneous acceptance correspondence from the [REDACTED] recruiting team. These emails erroneously stated that service members fulfil a 60-month obligation from date of check-in or lose their assignment to [REDACTED] instead of the 48 months required for enlisted Sailors.

Petitioner's intention was to enlist for the time required by [REDACTED], and as such, the erroneous letter led Petitioner to reenlist for 6 years, 12 months longer than was required by the agency. Given these circumstances he fully endorsed the Board of Correction of Naval Records in the request, Docket No. 8465-22.

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 partial corrective action. The Board concluded that Petitioner reenlisted for 6 years on 10 November 2020, resulting in an EAOS of 9 November 2026. On 12 November 2020, Petitioner was issued BUPERS order: 3170 for a 4-year tour and requiring Petitioner to obligate service out to April 2025. After further review of the supporting documents provided, the Board determined that Petitioner only needed to reenlist for 5 years in order to meet the required obligated service to execute his Permanent Change of Station (PCS) orders. Petitioner reenlisted on 10 November 2020 and his new EAOS with a 5-year term would be 9 November 2025; therefore, changing Petitioner's EAOS to 2 October 2025, as requested, would not be appropriate.

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 10 November 2020 was for a term of 5 years vice 6 years. Note: This will establish a new EAOS of 9 November 2025

That part of the Petitioner's request for corrective action that exceeds the foregoing be denied.

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.

12/21/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]