



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

[REDACTED]
Docket No. 816-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD IC [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by CMSB BUPERS-328, 16 May 23
(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 reenlistment effective 3 November 2020 reflects a 5-year obligation vice 6-year obligation and an End of Active Obligated Service (EAOS) of 2 November 2025 vice 2 November 2026.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 1 June 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 22 June 2017, Petitioner entered active duty for 4 years with an EAOS of 21 June 2021. In December 2019, Petitioner was awarded Navy Enlisted Classification 742A.

b. On 3 November 2020, Petitioner reenlisted for 6 years with an EAOS of 2 November 2026. Furthermore, Petitioner received a Zone A Selective Reenlistment Bonus (SRB).

c. On 12 November 2020, Petitioner was issued official change duty orders (BUPERS order: 3170) with required obligated service to May 2025, while stationed at [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 19 April 2021, with a Projected Rotation Date of May 2025.

d. On 15 March 2021, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 12 April 2021 for duty.

e. On 17 January 2023, Commanding Officer (CO), [REDACTED] Communications Agency notified BCNR that during the last quarter of 2020, several Sailors were sent erroneous acceptance correspondence from the [REDACTED] Communications Agency recruiting team. These emails erroneously stated that service members fulfil a 60-month obligation from date of check-in or lose their

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assignment to WHCA instead of the 48-months required for enlisted Sailors. Petitioner's intention was to enlist for the time required by WHCA, 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 the CO fully endorses the Correction of Naval Records in the request.

f. In the advisory opinion, 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 was in receipt of BUPERS Orders requiring obligation of service (OBLISERV) out to May 2025. Petitioner reenlisted for 6 years on 3 November 2020 and was paid a Zone A SRB. Reenlisting for 5 years rather than 6 would meet the required OBLISERV, however, the SRB payment would be changed to reflect 52 months of Additional Obligated Service rather than 64 months.

RECOMMENDATION

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

Petitioner's immediate reenlistment contract (NAVPERS 1070/601) executed on 3 November 2020 was for a term of 5 years, vice 6 years.

Note: Defense Finance and Accounting Service will complete an audit of Petitioner's records to determine SRB debt.

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.

