



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

[REDACTED]  
Docket No. 9002-23  
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 N133D3 Enl. Submarine Pay and ESRP Prog Mgr., 9 May 24  
(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 contract dated 5 July 2022 is null and void and his End of Active Obligated Service (EAOS) was 20 May 2024 prior to his reenlistment dated 1 May 2024.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 May 2024 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 2009, Petitioner entered active duty.

b. On 21 May 2018, Petitioner reenlisted for 6 years with an EAOS of 20 May 2024 and received a Zone B SRB.

c. On 2 March 2022, Petitioner was issued official change duty orders (BUPERS order: [REDACTED]) with required obligated service to December 2025, while stationed in [REDACTED] [REDACTED] with an effective date of departure of July 2022. Petitioner's intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 22 August 2022. Petitioner's ultimate activity was

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[REDACTED] for duty with an effective date of arrival of 10 December 2022 with a projected rotation date of December 2025.

- d. On 5 July 2022, Petitioner reenlisted for 3 years with an EAOS of 4 July 2025.
- e. On 18 July 2022, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 22 August 2022 for temporary duty.
- f. On 9 December 2022, Petitioner transferred from [REDACTED], and arrived to [REDACTED] on 9 December 2022 for duty.
- g. On 22 June 2023, Petitioner entered Zone D.
- h. On 1 May 2024, Petitioner reenlisted for 4 years with an EAOS of 30 April 2028.
- i. In correspondence attached as enclosure (2), 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 2 March 2022, Petitioner was issued BUPERS order: [REDACTED] with required obligated service to December 2025. On 5 July 2022, NSIPS/ESR shows a 3-year reenlistment to meet the OBLISERV. There is no signed contract in Petitioner's OMPF; however, because Petitioner executed his orders, he is required to OBLISERV to December 2025. The Board determined that Petitioner could have signed an Administrative Remarks (NAVPERS 1070/613) to meet the OBLISERV and the obligation would not have counted against him when he reenlisted on 1 May 2024.

## RECOMMENDATION

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

Petitioner's 3-year immediate reenlistment contract (NAVPERS 1070/601) executed on 5 July 2022, is null and void.

Petitioner executed an administrative remarks (NAVPERS 1070/613) on 5 July 2022 agreeing to extend enlistment for 17 months for OBLISERV to December 2025.

Note: These changes will not alter Petitioner's current EAOS/Soft EAOS (SEAOS) of 30 April 2028. Furthermore, N133D3 will update NSIPS with a new value based on 37 months of AOS. N133D3 will also update DFAS Cleveland to pay the difference in the initial ½ up front. Petitioner's 3 future installments will all be paid by N133D3 to DFAS Cleveland. The point of contact at N133D3 is [REDACTED] at (703) 604-5502.

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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.

5/23/2024

