

DEPARTMENT OF THE NAVY

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

> Docket No. 1867-25 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO, USN,

XXX-XX-

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments

- (2) Advisory opinion by CMSB memo 1160 Ser B328/062, 5 Mar 25
- (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 that the Active Duty Obligation in Item 8 on Petitioner's enlistment contract (DD FORM 4) dated 17 August 2020 reflects 4 years vice 5 years.
- 2. The Board, consisting of present the confidence of 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. Petitioner's Record of Military Processing Armed Forces of the United States (DD Form 1966) block 32a (Specific Option/Program Enlisted For) listed the following: "Aviation Electronic, Electrical, & Computer Systems Technician (AV/5YO) Program Guarantee (T + X). Active Duty Date: 24 November 2020."
- b. On 17 August 2020, Petitioner's signed an Enlistment/Reenlistment Document Armed Forces of the United States (DD Form 4/1) listing the following: 8 years in the U.S. Naval Reserve of which 5 years were considered an active duty obligation and 3 years were to be served in the Reserve Component of the Service.

- c. On 17 August 2020, Petitioner signed an Enlistment Guarantees (NAVCRUIT 1133/52) Annex A to DD Form 4 dated 17 August 2020 listing the following acknowledgement: "1. ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy (Active) Component, I acknowledge that I am enlisting for a total Military Service Obligation (MSO) of 8 years. I fully understand and acknowledge that my MSO consists of an active duty obligation of 5 years as indicated in the options listed below with the remaining months 36 of my MSO served in the Individual Ready Reserve (IRR). I understand my contract has the following guaranteed options which require the indicated active duty service obligations): Option 1: AVIATION ELECTRONIC, ELECTRICAL, & COMPUTER SYSTEMS TECHNICIAN (AV/5YO) PROGRAM GUARANTEE (T + X) requires 4 years active duty obligation and a voluntary extension of 12 months to meet the rating, school, and program guarantee active duty obligation requirement..."
- d. On 17 August 2020, Petitioner signed an agreement to extend enlistment (NAVPERS 1070/621) for 12 months with a new contract expiration date of 23 November 2025 for Training Five-Year Obligor Program for Aviation Avionics (AV) rating per current directives, "I understand that this agreement becomes binding upon execution, and may not be cancelled, except as set forth in MILPERSMAN Article 1160-040."
- e. On 24 November 2020, Petitioner signed an Enlistment/Reenlistment Document Armed Forces of the United States (DD Form 4/3) listed the following: Enlisted in the Regular Component of the U.S. Navy for a period of 5 Years.
- f. Navy Standard Integrated Personnel System/Electronic Service Record (Contract Information) lists an End of Active Obligated Service (EAOS) of 23 November 2025 and Soft EAOS (SEAOS) of 23 November 2026.

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 actions The Board concluded that Petitioner enlisted on 24 November 2020 in the Five Year Obligor Program for Aviation Avionics rating. Petitioner then executed NAVPERS 1070/621 for 12 months. However, NSIPS reflects that Petitioner enlisted for 5 years, resulting in the erroneous EAOS of 23 November 2025 and SEAOS of 23 November 2026.

RECOMMENDATION

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

Petitioner signed an Enlistment/Reenlistment Document Armed Forces of the United States (DD Form 4/3) on 24 November 2020 for a period of "4" years vice "5" years. Note: This will establish an EAOS of 23 November 2024 and SEAOS of 23 November 2025. Furthermore, that any other entries affected by the Board's recommendation be corrected.

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 titled 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.

