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

[redacted]
Docket No. 1366-23
Ref: Signature Date

[redacted]

Dear [redacted]

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 18 April 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board also considered the advisory opinion by Branch Head, Community Management Support Branch BUPERS-B328, 22 February 2023, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

On 19 May 2015, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 18 May 2019 and Soft EAOS of 18 May 2021.

On 20 February 2018, you reenlisted for 6 years with an EAOS of 19 February 2024.

In accordance with MILPERSMAN 1306-964 published on 19 April 2018, in computing the tour length for recruiting duty, the tour must commence on the date the member reports to the Navy Recruiting Districts (parent command), even though the member may receive a different assignment upon reporting and ultimately be assigned to a local recruiting activity. The tour length for nuclear qualified members will be computed from the date they are detached from their present command to ensure they are not out of the nuclear field for more than 36 months.

On 22 June 2021, you were issued official change duty orders (BUPERS order: 1731) with required obligated service to August 2024, while stationed at [redacted]

[redacted] with an effective date of departure of August 2021. Your intermediate (01) activity was [redacted] for temporary duty under instruction with an effective date of arrival of 14 August 2021. Your ultimate activity was [redacted] for duty with an effective date of arrival of 24 October 2021, with a Projected Rotation Date (PRD) of August 2024.

On 30 June 2021, you signed an agreement to extend enlistment for 6 months with a SEAOS of 19 August 2024 in order to incur sufficient obligated service to execute BUPERS order 1731 of 22 June 2021. On 2 August 2021, you transferred from [redacted] and arrived to [redacted] on 14 August 2021 for temporary duty. On 17 September 2021, you transferred from [redacted] and arrived to [redacted] on 21 October 2021 for duty.

You requested cancellation of a NAVPERS 1070/621, agreement to extend enlistment signed on 30 June 2021; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with MILPERSMAN 1306-964, the tour length for nuclear qualified members will be computed from the date they are detached from their present command to ensure they are not out of the nuclear field for more than 36 months. The PRD in BUPERS order: 1731 is August 2024 and required service out to August 2024, which you met by executing an extension of enlistment for 6 months. You detached your previous command on 2 August 2021. The Board determined that the 6-month extension aligns with the OBLISERV and PRD of August 2024 and is in compliance with MILPERSMAN 1306-964. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

4/24/2023

[redacted]