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

[redacted]
Docket No. 6468-24
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 19 February 2025. 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 contained in Branch Head, Community Management Support Branch memorandum [redacted] and your response to the opinion.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with reference (b) (4 May 2019), Retainability is the minimum amount of active OBLISERV a Service member must have upon arrival at a new duty station after a PCS transfer, both in CONUS and overseas. For Service members executing an LCM, additional retainability beyond the original tour completion date is not necessary.

> OBLISERV is required before reassignment to ensure Service members complete the prescribed tour. Waivers of OBLISERV requirements may be granted on a case basis by NAVPERSCOM, Enlisted Distribution Division (PERS-40).

On 15 June 2022, you reenlisted for 3 years with an End of Active Obligated Service (EAOS) of 14 June 2025. On 20 June 2022, you transferred from [redacted] and arrived to [redacted] on 9 July 2022 for duty.

On 9 January 2024, you were issued official change duty orders (BUPERS order: [redacted]) with required obligated service to July 2027, while stationed in [redacted] with an effective date of departure of June 2024. Your ultimate activity [redacted] for duty with an effective date of arrival of 8 July 2024 with a projected rotation date (PRD) of July 2027.

On 14 January 2024, you signed a command career request (NPPSC 1160/1) requesting a 3-year reenlistment effective 23 January 2024. Your request was approved by cognizant authority on 23 January 2024.

On 23 January 2024, you reenlisted for 3 years with an EAOS of 22 January 2027.

On 21 March 2024, you were issued official modification to change duty orders (BUPERS order: [redacted]) while stationed in [redacted] with an effective date of departure of June 2024. Your ultimate activity [redacted] for duty with an effective date of arrival of 8 July 2024 with a PRD of July 2027.

On 8 May 2024, you were issued official cancellation to change duty orders (BUPERS order: [redacted]). On 29 July 2024, Petitioner submitted a retirement request with an effective date of 30 June 2025.

On 4 December 2024, Navy Personnel Command disapproved FRRA your request. Your SEAOS of 22 January 2027. Furthermore, it stated that "request cannot be supported due to remaining contractual obligation beyond current PRD and CNP."

On 9 December 2024, you were issued official change duty orders (BUPERS order: [redacted]) while stationed in [redacted] with an effective date of departure of January 2025. your ultimate activity was [redacted] for duty with an effective date of arrival of 10 February 2025 with a PRD of January 2027.

On 15 January 2025, you transferred from [redacted] and arrived to [redacted] on 15 January 2025 for duty.

On 6 February 2025, BCNR sent you a copy of the advisory opinion from PERS-31C which recommended disapproval of your request, and you were provided an opportunity to respond to the opinion. The same day, you notified BCNR that, "I concur. Unfortunately, the decision from BCNR came too late. I was coming up on my PRD and my orders window was closing so I had to apply for orders to fulfill my obligation of service until JAN 2027…"

You requested to rescind your 3 year reenlistment effective 23 January 2024; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, "[r]eenlistment was to fulfill OBLISERV

requirement for orders [redacted] which have since been cancelled. My intention once the reenlistment is revoked is to submit for Fleet Reserves for June 2025." However, the Board concluded that you reenlisted on 23 January 2024 for 3 years to meet required OBLISERV out to July 2027 per orders [redacted]. On 8 May 2024, orders [redacted] were cancelled. On 13 June 2024, BCNR received your request to cancel your reenlistment; however, while awaiting Board decision, you received orders [redacted] with a PRD of January 2027 and executed orders on 15 January 2025. Therefore, the Board determined that no change to your record is warranted. 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,

2/24/2025

[redacted]