

## MILPERSMAN 1301-108

### OFFICER DISTRIBUTION – RETAINABILITY

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1. **Background.** Retainability is the minimum obligated service (OBLISERV) an officer must have to qualify for issuance of cost permanent change of station (PCS) orders. Cost PCS orders cannot be issued unless retainability is met.

2. **Policy.** Retainability covers the period from the date of reporting for duty at the new duty station.

a. The following table lists the minimum requirements:

TRANSFER FROM	TRANSFER TO	RETAINABILITY
Continental U.S. (CONUS) Shore or Sea	CONUS Shore Duty	2 Years
CONUS Shore	CONUS Sea Duty	1 Year
Anywhere	OVERSEAS Sea or Shore Duty	Department of Defense (DoD) Area Tour
Overseas	CONUS Sea or Shore Duty	1 Year

b. Retainability for nuclear-qualified officers assigned billets under Naval Sea Systems Command (NAVSEASYS COM) (NAVSEA-08) cognizance is 2 years.

c. Retainability and prescribed tour length (PTL) are not interchangeable terms. Both are satisfied prior to order writing.

(1) The retainability requirement is met in relation to the next PCS assignment.

(2) The PTL requirement is satisfied for the existing tour assignment.

3. **Letter of Intent (LOI)**. Satisfaction of the retainability requirement for **all** cost orders is required. Factors that affect retainability are the LOIs of Regular and Reserve officers and the resignation and release from active duty (RAD) requests of regular and reserve officers.

a. Where an officer's minimum service requirement (MSR) extends beyond the officer's current projected rotation date (PRD), an LOI may be used to notify Navy Personnel Command (NAVPERSCOM) that the officer does not desire to remain on active duty beyond MSR.

b. An LOI must be received by NAVPERSCOM no later than 6 months prior to the first day of the officer's PRD month. An LOI may be received after this time but does not preclude PCS orders notification prior to receipt of the LOI. This does not, in any way, restrict detailee-constituent communications at any time.

c. The LOI does not preclude issuance of PCS orders, provided the requested release date, which is the MSR, unless earlier date approved by Assistant Secretary of the Navy for Manpower and Reserve Affairs (ASN (M&RA)), permits the officer to meet the retainability requirement for PCS orders to the next duty station.

d. The LOI must be followed by a tender of resignation/RAD or request to retire. This tender must be received at NAVPERSCOM 9 months prior to the MSR (9 months prior to an earlier date if approved by the ASN (M&RA)) to allow for processing, including adjustment of the PRD in the Officer Assignment Information System (Version 2) (OAIS2) and identification of a timely relief.

#### 4. **Attaining Retainability**

##### a. U.S. Navy Reserve (USNR) Officers

(1) Retainability for USNR officers is equal to the MSR or obligation incurred as a result of accepting orders. The obligation incurred upon approval of a voluntary extension of active duty of definite duration is equal to the time requested by the member.

(a) Absence of a RAD request prior to the first day of the sixth month before the month of an officer's PRD will be construed as an officer's request to be retained beyond MSR.

(b) Officers can then be issued orders and will have retainability for not less than the minimum tour for separation (MTS) at the next duty station.

(2) If a USNR officer executes orders, the earliest time the officer may be released from active duty at the new duty station as a voluntary release from active duty, without a waiver, **is the MTS date**. Although an officer may be retained on active duty until completion of PTL, it has been common practice to approve releases upon completion of MTS, provided the request meets other OBLISERV and submission requirements. This policy will remain in effect unless Deputy Chief of Naval Personnel (BUPERS-00B) determines by competitive category/designator that significant personnel shortages are a compelling military necessity for retention. In the absence of a request for release, the officer will serve the full PTL.

(3) USNR officer order writing decision matrix is as follows:

RETAINABILITY	WRITE ORDERS	TOUR LENGTH/ACTION
MSR > or = PTL	Yes	PTEXT P73043
MTS < or = MSR < PTL	Yes	PTEXT P73043
MTS < or = MSR	Yes	PTEXT P73044 <b>(Note 1)</b>
MSR < MTS	Yes	PTEXT P73043 <b>(Note 2)</b>
MSR < MTS	No	Extend PRD to MSR and retain onboard. <b>(Note 1)</b>

**Note 1:** LOI or approved RAD.

**Note 2:** No LOI or approved RAD. Less than 6 months from PRD.

(4) In cases where orders are written for less than the PTL and the officer later incurs additional OBLISERV or requests to remain on active duty, the officer will **not** be reassigned prior to completion of the PTL unless in connection with an approved exception. MTS and PTL in the matrix above are the MTS and PTL required at the next duty station.

b. U.S. Navy (USN) Regular Officers

(1) Retainability for regular officers is limited by statute, which defines maximum service, by LOIs, and by resignation or retirement requests.

(a) Statutorily required separation cannot be waived unless the officer is continued on active duty by a continuation or administrative retention board; in such cases, retainability must be satisfied in full prior to issuance of cost PCS orders.

(b) Absence of a resignation or retirement request 6 months prior to the first day of the officer's PRD month makes the USN officer eligible for PCS orders and, once notified of orders, committed to fulfill the associated tour-length requirement.

(2) When assigning officers who have completed 20 years of total active service or have been continued, OAIS2 must be reviewed by NAVPERSCOM to verify that the estimated loss date allows sufficient retainability.

(3) Officers cannot be assigned beyond their estimated loss date unless continued. Questions concerning estimated loss dates are handled by NAVPERSCOM Retirement Division (PERS-83) or Disability Retirement Division (PERS-95).

(4) Although an officer may be retained on active duty until completion of PTL, it has been common practice to approve resignations or retirements upon completion of MTS, provided the request meets other OBLISERV and submission requirements.

(a) This policy will remain in effect unless Commander, Navy Personnel Command (COMNAVPERSCOM) determines by competitive category or designator that significant personnel shortages are a compelling military necessity for retention.

(b) In the absence of a request to resign or retire, the officer will serve the full PTL unless an approved exception is granted by appropriate authority.

(5) USN regular officer order-writing decision matrix is as follows:

RETAINABILITY	WRITE ORDERS	TOUR LENGTH/ACTION
MSR > or = PTL	Yes	PTEXT P73043
MTS < or = MSR < PTL	Yes	PTEXT P73043
MTS < or = MSR	Yes	PTEXT P73044/P73046 (Note 1)
MSR < MTS	Yes	PTEXT P73043 (Note 2)
MSR < MTS	No	Extend PRD to Separation date and retain onboard. (Note 1)

**Note 1:** LOI or approved RAD.

**Note 2:** No LOI or approved RAD. Less than 6 months from PRD.

(6) MTS and PTL in the matrix above are the MTS and PTL required at the next duty station.

(7) The following officers do not meet retainability requirements and are not issued **cost** orders:

(a) Officers who will be involuntarily retired due to age or time-in-grade limitations.

(b) One-time failure of selection (FOS) officers who will be involuntarily separated if they FOS a second time.

(c) This requirement may be waived under extraordinary circumstances by NAVPERSCOM Career Management Department (PERS-4) where continuance of a one-time FOS officer (e.g., in an overseas billet) is detrimental to the Navy and to the individual. Considerations include the following:

1. Need for career-enhancing billet to improve promotion opportunity.

2. Need to transition to the civilian sector and individual's suitability for continued overseas duty.

5. **Retainability Exceptions.** Waiver authority for retainability requirements is as follows:

a. Requests to waive retainability of 12 months or less can be approved by PERS-4.

b. Requests to waive retainability greater than 12 months can be approved only by Office of the Chief of Naval Operations (OPNAV) Officer Plans and Policy Branch (OPNAV N131).