



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

■  
Docket No. 9133-22  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ■■■■■■■■■■, USNR, ■■■■■■■■■■

Ref: (a) Title 10 U.S.C. § 1552  
(b) DODI 1332.29  
(c) MILPERSMAN 1920-030  
(d) MILPERSMAN 1160-120

Encl: (1) DD Form 149 w/attachments  
(2) 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 her naval record be corrected to establish eligibility to receive Involuntary Separation Pay (ISP).

2. The Board, consisting of ■■■■■■■■■■, and ■■■■■■■■■■ reviewed Petitioner's allegations of error and injustice on 25 January 2023 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner's Active Duty Service Date was 13 September 2016, and advanced to Hospital Corpsman/E-3 on 16 June 2017.

b. Petitioner participated in and passed not advanced the March 2022 (Cycle 255) Navy Wide Advancement Exam.

c. On 23 August 2022 Petitioner issued BUPERS Order: 2352 (Official Separation Orders) indicating "SPD: LBK and Effective Date of Separation: 12 SEP 2022."

d. Petitioner's Detachment of Individual NAVPERS 1616/26, Evaluation Report & Counseling Record (E1-E6) for period of report 16 July 2019 through 12 September 2022 recommended advancement and retention.

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e. On 12 September 2022 Petitioner was released from active duty and transferred to the [REDACTED] as a result of reaching High Year Tenure (HYT).<sup>1</sup> At the time of release, Petitioner completed 6-years of active duty service, received as Reentry Code of "RE-6," Separation Code of "LBK" and Reserve Obligation Termination Date of 29 February 2024.

f. On 19 December 2022 [REDACTED] informed examiner that Petitioner's ISP package was not returned prior to discharge; however, Petitioner was eligible for reenlistment in the Ready Reserve and eligible to receive ISP.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting the following corrective action. Petitioner met the eligibility criteria to receive ISP in accordance with references (b)<sup>2</sup> and (c),<sup>3</sup> however, as a result of administrative oversight, ISP processing documents were not completed prior to being released from active duty. Although the proper administrative requirements were not completed, the Board felt that under these circumstances, relief is warranted.

## RECOMMENDATION

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

Petitioner, in coordination with his command, completed the required Ready Reserve written agreement, NAVPERS 1070/613, Administrative Remarks prior to release from active duty and submitted it to Commander, Navy Personnel Command for inclusion in Petitioner's Official Military Personnel File.

Petitioner reenlisted on [REDACTED] for a term of 5 years.

Petitioner authorized payment of "Full" ISP based on his 12 September 2022 release from active duty. Note: Petitioner is required to sign a mandatory disclosure statement per reference (b) prior to the processing of ISP.

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.

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<sup>1</sup> Reference (d), High Year Tenure (HYT) for Sailors in paygrade E-3 is 6-years length of service.

<sup>2</sup> Reference (b), full payment of non-disability ISP is authorized to Service members who are involuntarily separated from active duty and meet the five specified criteria listed. This criteria includes, eligible Service members must prior to separation enter into a written agreement to serve in the Ready Reserve for a period of 3-years in addition to any service obligation remaining at the time of separation. Additionally, Service members must sign a mandatory disclosure statement regarding the consequences of collecting retired/retainer pay or Veterans Affairs disability compensation after receiving ISP.

<sup>3</sup> Reference (c), requires enlisted Sailors to have the Commanding Officer's recommendation for advancement and retention and are required to take and pass the most recent advancement examination before separation to qualify for full separation pay.

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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.

1/31/2023

[REDACTED]

Deputy Director

[REDACTED]