



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

[REDACTED]  
Docket No. 310-17  
NOV 28 2017

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED]  
USN, [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

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 this Board requesting, in effect, that the applicable naval record be corrected to show that the Petitioner is eligible for involuntary separation pay.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 August 2017 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, naval records, 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 17 December 2016, Petitioner separated from Navy with an Honorable characterization of service, a separation code of "JBK" (which authorizes payment of full ISP), and a reentry code of RE-6, after reaching high year tenure (HYT) after 9 years of service.

c. The Petitioner was not allowed to take the last advancement exam scheduled prior to his separation, per NAVADMIN 083/16, as his HYT and end of active obligated service (EAOS) were prior to the terminal eligibility date (1 January 2017) used to compute time-in-rate (TIR).

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the fact that the Petitioner qualifies for payment of full ISP, the Board finds the existence of an injustice warranting the following corrective action.

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED]  
USN, [REDACTED]

## RECOMMENDATION

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

Petitioner was authorized payment of "full" Involuntary Separation Pay (ISP) based on his discharge which occurred on 17 December 2016.

Note: Payment of non-disability full (10%) or half (5%) separation pay is authorized to the member who has entered into a written agreement with the Navy Personnel Command, prior to separating from active duty, to serve in the Ready Reserve for a period of not less than 3 years immediately following separation from active duty. This 3 year service obligation is in addition to any other remaining service obligation. Evidence of the Petitioner's commitment to this additional obligated service must be included in the Petitioner's record prior to the release of Involuntary Separation Pay (ISP). Additional obligated service, however, may be waived by the Navy Personnel Command. Furthermore, the separation pay described above will be offset by any Veterans Disability Compensation to which Petitioner is or becomes entitled.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that 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.

[REDACTED]  
Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]  
Executive Director