



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

[REDACTED]  
Docket No. 383-17  
MAY 04 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 full involuntary separation pay (ISP).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 March 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. OPNAV Instruction 1900.4 (Separation Pay for Involuntary Separation from Active Duty) dated 20 December 2005, states the following: "Enlisted members separated due to high year tenure will be eligible for full separation pay, provided they meet the other requirements of this instruction, and are eligible for advancement at the time of separation under policies established by the Chief of Naval Personnel (CHNAVPERS)."

c. Petitioner scored a Pass Not Advance on cycle 231, and was recommended for retention.

d. On 16 December 2016, Petitioner separated after reaching High Year Tenure (HYT). Petitioner's record correctly reflects a separation code of "JBK" (completion of required active service) and a reenry code of "RE-6" (Ineligible or denied reenlistment due to High Year Tenure), making him eligible for full separation pay.

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## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the fact that the Petitioner's DD 214 is correct and his separation code authorizes full involuntary separation pay, the Board finds the existence of an injustice warranting the following corrective action.

## RECOMMENDATION:

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

a. 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).

b. Petitioner is authorized payment of "full" Involuntary Separation Pay (ISP) based on his discharge which occurred on 16 December 2016.

c. Note: the separation pay described above will be offset by any Veterans Disability Compensation to which Petitioner is or becomes entitled.

d. 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