



Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

e. In September 2021, Petitioner participated in Cycle 252 Navy Wide Advancement Examination and pass not advanced.

f. Petitioner issued Detachment evaluation for period of report from 16 July 2021 to 19 June 2022 with Promotable promotion recommendation and recommended for retention.

g. On 19 June 2022, Petitioner released from active duty and transferred to the Navy Reserve. DD Form 214, Certificate of Release or Discharge from Active Duty reflects completion of 6 years, 0 months and 2 days of active duty service; Character of Service honorable; Separation Code "MBK;" Reentry Code "RE-1;" and Narrative Reason for Separation Completion of Required Active Service.

h. On 20 June 2022, Petitioner reenlisted for 5 years and affiliated with the Selected Reserve.

i. On 16 January 2024, Petitioner advanced to Culinary Specialist Third Class/E-4.

## 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) through (e).<sup>1</sup> However, as a result of administrative oversight ISP was not processed prior to Petitioner's released from active duty. Although the proper administrative requirements were not completed, the Board determined 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 3-year Ready Reserve written agreement, NAVPERS 1070/613, Administrative Remarks prior to release from active

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<sup>1</sup> Reference (b) full payment of non-disability ISP is authorized to Service members who are involuntarily separated from active duty and meet specified criteria. This criterion includes, the Service member has completed at least 6 years and 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. 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 of full separation pay. Reference (d) reiterates the 3-year Ready Reserve requirement in addition to any other remaining service obligation and specifies ISP will not be paid without a signed Reserve contract or Reserve enlistment denial letter; there are no exceptions. The policy further indicates to become eligible for ISP, Service members who are otherwise eligible must sign a prerequisite written agreement to serve in the Ready Reserve using a permanent NAVPERS 1070/613, Administrative Remarks. Per reference (d), High Year Tenure (HYT) for Sailors in paygrade E-3 is 6 years length of service. Active duty personnel who are separated due to HYT gates and are advancement eligible at the time of separation may be eligible for full ISP.

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duty and submitted it to Commander, Navy Personnel Command for inclusion in Petitioner's Official Military Personnel File.

Petitioner's DD Form 214, Certificate of Release or Discharge from Active Duty is amended to reflect Block 26 (Separation Code) "JBK" vice "MBK" and Block 27 (Reentry Code) "RE-6" vice "RE-1." Note: Navy Personnel Command is authorized to correct any other entries affected by the Board's recommendation and will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

Petitioner authorized payment of full ISP based on his 19 June 2022 release from active duty. Note: Petitioner is required to sign a mandatory disclosure statement per reference (b) prior to the processing of ISP.

That 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 titled matter.

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.

9/21/2024

