

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USNR,
XXX-XX-[REDACTED]

e. Petitioner issued Periodic evaluation for period of report from 16 June 2021 to 15 June 2022 with “Must Promote” promotion recommendation and recommended for retention.

f. On 29 June 2022, [REDACTED] ([REDACTED] uploaded “Involuntary Separations Pay” NAVPERS 1070/613, Administrative Remarks to Petitioner’s electronic service record, however the entry was not verified.

g. On 5 September 2022, Petitioner was released from active duty and transferred to the Navy Reserve – Individual Ready Reserve.

h. Petitioner’s electronic service record reflects reenlistment on 6 September 2022 for 3 years and gained to the Active Status Pool (RUIC: 8040N) in duty status code 500.

i. On 6 November 2022, Petitioner issued DD Form 214, Certificate of Release or Discharge from Active Duty (Serial Number: N2022090500101-0) indicating, Reserve Obligation Termination Date: N/A; 10 years of active duty service from 6 September 2012 to 5 September 2022; Remarks: “Separation Payment - \$34,866 – Disbursing Office Symbol 8371;” Honorable Character of Service; Separation Code: “JBK;” and Reentry Code: “RE-6.”

j. On 7 November 2022, Petitioner issued BUPERS Order: [REDACTED] (Official Separation Orders) with an effective date of separation of 5 September 2022, Separation Program Designator “JBK,” and an Honorable Character of Service. The order was modified on 20 December 2022, indicating, “Authorized Separation Due to High Year Tenure.”

k. On 30 September 2024, Navy Personnel Command (NPC) (PERS-93) advised that Petitioner was eligible for reenlistment, but the department did not receive an executed contract and/or required NAVPERS 1070/613, Administrative Remarks to garner 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) through (e).¹ However, as a result of administrative

¹ 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. However, a Service member who enters into this written agreement and is deemed unqualified for the Ready Reserve may still be eligible for ISP. 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 for 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.

Reference (e), High Year Tenure (HYT) for Sailors in paygrade E-4 is 10 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. Active component and Full Time Support members RIR are authorized to complete the current enlistment, only if it expires on or before the HYT gate of the new pay grade.

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

Petitioner reenlisted on 6 September 2022 for 3 years and gained to the Active Status Pool.

Petitioner authorized payment of full ISP based on his 5 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. NPC is authorized to correct any other entries affected by the Board's recommendation.

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.

10/19/2024

