



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

██████████  
Docket No. 5090-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN,  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) OPNAVINST 1900.4A  
(c) MILPERSMAN 1920-030  
(d) MILPERSMAN 1910-050  
(e) MILPERSMAN 1160-120

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by NPC (PERS-9), 9 Oct 24  
(3) 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 his naval record be corrected to establish eligibility to receive Involuntary Separation Pay (ISP).

2. The Board, consisting of ██████████, ██████████, ██████████ reviewed Petitioner's allegations of error and injustice on 18 December 2024 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 entered active duty on 19 February 2004. On 22 June 2012 reenlisted for 6 years and on 16 December 2014, Petitioner advanced to Damage Controlman First Class (DC1)/E-6. Petitioner was awarded Non-Judicial Punishment and reduced in rate to DC2/E-5 on 31 May 2017.

b. On 8 June 2020, Petitioner extended for 12 months; aggregate of 37 months with an end of active obligated service of 21 July 2021.

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[REDACTED]

c. In September 2020, Petitioner participated in Cycle 248 Navy Wide Advancement Exam (NWAE) and passed not advanced and in March 2021 participated in Cycle 251 NWAE and pass not advanced.

d. On 14 July 2021, Petitioner issued Detachment evaluation for period of report from 16 March 2021 to 18 July 2021 with Early Promote promotion recommendation and recommended for retention and on 18 July 2021 was discharged from active duty. DD Form 214, Certificate of Release or Discharge from Active Duty reflects completion of 17 years, and 5 months of active duty service; Honorable Character of Service; Separation Code "JBK;" Reentry Code "RE-4;" and Narrative Reason for Separation Completion of Required Active Service.

e. On 8 June 2022, Petitioner enlisted in the Navy Reserve for 2 years and affiliated with the Selected Reserve.

f. On 16 June 2022, Petitioner was reissued corrected DD Form 214 reflecting Reentry Code of "RE-6."

g. On 20 July 2022, this Board approved Docket No. 2253-22 to correct Petitioner's DD Form 214 to reflect reenlistment code of "RE-6."

h. On 16 January 2024, Petitioner advanced to DC1/E-6 and reenlisted in the Navy Reserve for 2 years on 19 April 2024.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), 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 discharge from active duty. Although the proper administrative requirements were not completed, the Board determined that under these circumstances, relief is warranted.

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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 (e), High Year Tenure (HYT) for Sailors in paygrade E-5 is 16 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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[REDACTED]

## 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, 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 ISP amount and adjust Block 18 (Remarks) accordingly. Note: Commander, Navy Personnel Command will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

Petitioner reenlisted in the Navy Reserve on 19 July 2021 for 3 years.

Petitioner authorized payment of full ISP based on his 18 July 2021 discharge 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 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.

1/10/2025

