



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

[REDACTED]
Docket No. 1995-25
Ref: Signature Date

[REDACTED]

Dear [REDACTED],

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 11 September 2025. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Commander, Navy Personnel Command letter 5720 PERS-93 of 25 July 2025, which was previously provided to you for comment.

You were released from active duty for training with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 7 July 2016 to 30 September 2016 upon completion of required active service.

On 15 August 2016, Commanding Officer, [REDACTED] issued you Modification to PCS listing the following: "Report for Active Duty for Training ADT Special to the Commanding Officer, [REDACTED] no later than 0730 on 20 Dec 2015 for duty with [REDACTED]. Period of duty: 20 Dec 2015 to 30 Sep 2016 for 286 days."

On 4 October 2016, Commanding Officer, [REDACTED] issued you Ordered to ADT-SPEC listing the following: "Report for Active Duty for Training ADT Special to the Commanding Officer, [REDACTED] no later than 0730 on 05 Oct 2016 for duty with [REDACTED]. Period of duty: 05 Oct 2016 to 04 Nov 2016 for 31 days."

On 15 October 2016, Commanding Officer, [REDACTED] issued you Ordered to Annual Training listing the following: "Report for Annual Training to the Commanding Officer, [REDACTED]

[REDACTED] no later than 0000 on 09 Nov 2016 for duty with [REDACTED]. Period of duty: 09 Nov 2016 to 07 dec 2016 for 29 days.”

On 19 October 2016, Commanding Officer, [REDACTED] issued you Ordered to ADT-SPEC listing the following: “Report for Active Duty for Training ADT Special to the Commanding Officer, [REDACTED] no later than 0730 on 05 Nov 2016 for duty with [REDACTED]. Period of duty: 05 Nov 2016 to 06 Nov 2016 for 2 days.”

You were released from active duty and transferred to the Navy Reserve with an honorable character of service and were issued a DD Form 214 for the period of 29 December 2016 to 23 February 2018 upon completion of required active service.

On 27 September 2018, Commander, Navy Reserve Force issued you Modification to PCS listing the following: “Commander, Navy Reserve Force Orders you to report for Active Duty for Training ADT Special to the Commanding Officer, [REDACTED] [REDACTED] no later than 0730 on 02 Apr 2018 for duty with [REDACTED]. Period of duty: 02 Apr 2018 to 28 Sep 2018 for 180 days.”

On 23 October 2018, Commander, Navy Reserve Force issued you Modification to Annual Training listing the following: “Commander, Navy Reserve Force Orders you to report for Annual Training to the Commanding Officer, [REDACTED] [REDACTED] no later than 0730 on 22 Oct 2018 for duty with [REDACTED]. Period of duty: 22 Oct 2018 to 19 Nov 2018 for 29 days.”

On 29 October 2018, Commander, Navy Reserve Force issued you Ordered to PCS listing the following: “Commander, Navy Reserve Force Orders you to report for Active Duty for Training ADT special to the Commanding Officer, [REDACTED] [REDACTED] no later than 0730 on 20 Nov 2018 for duty with [REDACTED]. Period of duty: 20 Nov 2018 to 30 Sep 2019 for 315 days.”

In accordance with DoDI 1332.29, published on 3 March 2017, “Full Separation Pay (Non-disability). Full payment of non-disability ISP, computed as provided in Paragraph 3.2.a., is authorized to Service members of the Active and Reserve Components who are involuntarily separated from AD/AS and who meet each of following five conditions: (1) The Service member has completed at least 6 years, but fewer than 20 years, of AD/AS. For Reserve Service members, 6 years of continuous AD/AS must have preceded immediately before separation. A period of AD/AS is continuous if any break in military service does not exceed 30 days...”

“Limitations on Eligibility for Separation Pay. Service members separated under the following circumstances are not eligible for ISP:... d. Released for Training. A Service member released from AD/AS for training is ineligible for ISP.”

In accordance with OPNAVINST 1900.4A, published on 19 February 2019, “[t]he phrase “involuntarily” separated, discharged, or released from active duty” includes all forms of separation under conditions wherein the individual is released from active duty at any time prior to the completion of a stipulated period of active service or tour of active duty, and not at his or her own

request, or denied reenlistment or extension on active duty. Examples include release due to reduction in force, or a failure of selection for promotion, and release of Reserve members not accepted for an additional tour of active duty for which they volunteered. a. The phrase “not accepted for an additional tour of active duty for which they volunteered refers to members who, prior to completing a tour of active duty or a stipulated period of active service, or upon notification of the intent to separate them from active duty, volunteer to remain on active duty for an additional tour but are not accepted.”

“Personnel Eligible for Full Separation Pay (non-disability). Members involuntarily separated from active duty whose separation is characterized as honorable and who meet the criteria in subparagraphs 7a and 7b, except those excluded in paragraphs 8 and 9, are entitled to the full rate of separation pay... 9. Personnel Not Eligible for Separation Pay. Per references (c) and (d), members separated under the circumstances listed in subparagraphs 9a through 9p are not eligible for separation pay. a. Members separated from active duty at their own request. A member who declines training to qualify for a new skill or rating as a precondition to reenlistment; continuation to reenlistment; or continuation on active duty, will not be considered involuntarily separated. This limitation does not apply to officers discharged or released from active duty because of failure to be selected for promotion. b. Members released from active duty for training.”

On 25 October 2019, COMNAVPERSCOM via [REDACTED] issued you Official Active Duty for Special Work Orders listing the following: “You are hereby ordered to report for Active Duty For Special Work under the authority of title 10 USC SECTION 12301 (D) period of duty: 01NOV19 TO 30SEP20 depart place from which called (or ordered) to active duty (PLEAD) NET 01NOV19.”

On 25 September 2020, COMNAVPERSCOM via [REDACTED] issued you Official Recall to Active Duty Orders listing the following: “You are hereby ordered to report for voluntary temporary recall under the authority of title 10 USC SECTION 12310 and IAW reference a. The term of these orders is 36 months and ends 2023 09, any continued service on active duty is not authorized. Additionally, upon completion of the period, you will be returned to the address indicated on the orders, and upon arrival you will be officially released from active duty, service beyond the end date of these orders requires the member to reapply through COMNAVPERSCOM (PERS-92).”

On 25 September 2020, COMNAVPERSCOM via listing issued you Official Modification to Navy Definite Recall Orders listing the following: “Member does not have intermediate (01) activity. Member reports directly to ultimate activity on 01 OCT 2020.”

You were released from active duty for Special Work (ADSW) with an honorable character of service and were issued a DD Form 214 for the period of 19 November 2019 to 30 September 2020 upon completion of required active service.

On 13 February 2023, you submitted a Special Request/Authorization (NAVPERS 1336/3) requesting the following: “Respectfully request 12 month extension on current RECALL (end 30 September 2023) to end 30 September 2024.” Furthermore, your request was approved by cognizant authority on 13 February 2023.

On 17 February 2023, Commander, [REDACTED] notified Commander, Navy Personnel Command (PERS-92) that "Forwarded, recommending recall order extension approval of 30 September 2024."

On 4 May 2023, [REDACTED] issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "(4MAY23): I have reviewed my cumulative active-duty service and certify that my cumulative active service is 16 years and 8 months. I understand that additional active-duty time is creditable towards my Reserve retirement."

On 9 May 2023, Commander, [REDACTED] notified Director, Military Personnel Plans and Policy Division (N13) via Commander, Navy Reserve Forces Command and Commander, Navy Personnel Command PERS-9 that "[p]er OPNAVINST I001.27A, enclosures Member's Active Statement of Service History (ASOSH), NAVPERS 1070/613, verification of member's cumulative active service, E-mail from PERS 9 with TOTAS calculations through E-mail from COMNAVRESFORCOM (NI) addressing available inventory are forwarded requesting waiver of the 16 years cumulative active duty service limitation to active duty orders."

"What active duty orders has member been on for the last five years, to include AT, ADT, ADOS, Recall and Mobilization? Please give start and end dates and type of orders (refer to question 2d)....Type ADT/Location [REDACTED] October 2019 to 31 October 2019/Day-Years 31 days, and Type ADT/Location [REDACTED] November 2018 to 30 September 2019/Day-Years 315 days."

On 16 May 2023, Commander, Navy Reserve Forces Command notified Director, Military Personnel Plans and Policy Division (N13) via Commander, Navy Personnel Command (PERS-9) FIRST ENDORSEMENT on [REDACTED]orth letter 1000 Ser N00/392 of 9 May 2023 that "Request for a Waiver of Over 16 Years Cumulative Total Active Duty Service for Definite Recall Orders. Forwarding, recommending approval."

On 7 September 2023, [REDACTED] issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "As a condition of eligibility for involuntary separation pay (ISP), I understand I must enlist in the Ready Reserve, Selected Reserve (SELRES), or Individual Ready Reserve (IRR) for a period of 3 years, in addition to any remaining service obligation I have incurred under law. I understand this agreement is made without regard to the reason for my separation or my eligibility for affiliation with the Ready Reserve. Furthermore, should I be accepted for enlistment in the Ready Reserve, I must immediately reenlist upon discharge from active duty as a condition of qualifying for involuntary separation pay. In addition to any remaining service condition that I have incurred under law. I fully understand that my refusal to enlist (if eligible) in the Ready Reserve upon discharge from active duty will render me ineligible for involuntary separation pay and result in immediate recoupment for any incorrect involuntary separation pay payments. I understand that I may enlist in the Navy SELRES or in the IRR by applying for affiliation at NAVPERSCOM (PERS-93). I further understand that if I enlist in the IRR, I may request to become a SELRES any time afterwards by applying for affiliation at a Navy Reserve Recruiting office or Navy Reserve Center (NRC). I also agree that if accepted in the Navy Ready Reserve, I will keep NAVPERSCOM (PERS-93) informed of any changes in my address, physical status, or dependency status per Title 10 U.S.C, §1174, DoDI 1332.29, DoD 700.14-R, and BUPERSINST 1001.39F."

On 26 September 2023, [REDACTED] issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "As a condition of eligibility for involuntary separation pay (ISP). I understand I must enlist in the Ready Reserve (Selected Reserve (SELRES) or Individual Ready Reserve (IRR)) for a period of three (3) years in addition to any remaining service obligation I have incurred under law. I understand this agreement is made without regard to the reason for my separation or my eligibility for affiliation with the Ready Reserve. Furthermore, should I be accepted for enlistment in the Ready Reserve, I must immediately reenlist upon discharge from active duty as a condition of qualifying for separation pay. I fully understand that my refusal to enlist, if eligible, in the Ready Reserves upon discharge from active duty will render me ineligible for separation pay and result in immediate recoupment for any incorrect ISP payments. I understand that I may enlist in the SELRES with prior CWAY approval via the NAVPERSCOM Career Transition Office (CTO), or that I may enlist in the IRR by applying for affiliation at NAVPERSCOM (PERS-93). I further understand that if I enlist in the IRR, I may request to become a member of the SELRES any time afterwards, by applying for affiliation at a Navy Reserve Recruiting Office or Navy Operational Support Center (NOSC). I also agree that if accepted in the Ready Reserve, I will keep NAVPERSCOM (PERS-93), informed of any changes in my address, physical status, or dependency status in accordance with Title 10 United States Code, DOD regulations, and BUPERSINST 1001.39 (Series)."

You were released from active duty and transferred to the Navy Reserve with an honorable character of service and were issued a DD Form 214 for the period of 1 October 2020 to 30 September 2023 upon completion of required active service.

On 1 October 2023, you reenlisted for 3 years with a new contract expiration date of 30 September 2026.

On 19 April 2024, Commander, Navy Personnel Command (PERS-93) notified Commander, Navy Personnel Command (PERS-00L) that "[p]er DON-240320-9BWT letter 5730 Ser 00LCF of 27 Mar 24, [REDACTED] congressional representative is requesting information regarding her request to receive Involuntary Separation Pay (ISP) for her time in service.

NAVPERSCOM (PERS-93) conducted a thorough review of the service member's record and found that she does not meet the eligibility requirements of OPNAVINST 1900.4A and DODI 1332.29 to receive ISP. Per Statement of Service of 18 April 2024 and NSIPS NEOPS Screenshots, the service member performed a combination of active duty orders and Active Duty Training (ACDUTRA) dating from 2015 to 2019. ACDUTRA orders do not qualify a Reserve member to ISP per reference (b) and (c)."

"Additionally, enclosure (2) reflects a break in orders of over 30 days from 1 Oct 2023 to 19 Nov 2023. A Reserve Service member must have performed 6 years of continuous active duty orders immediately before separation to be eligible for ISP per reference (c)."

On 25 April 2024, Commander, Navy Personnel Command (PERS-9) notified Commander, Transaction Service Center, [REDACTED] that "[f]orwarded for recommendation in processing Involuntary Separation Payment (ISP) for [REDACTED]

LNC was requesting an order extension of her Definite Recall orders and was informed that a 16 year waiver was required. While reviewing the member's record, PERS-92 identified missing

active duty time and misinformed her of being eligible for ISP. Due to this misinformation, LNC elected to not pursue a waiver for her orders.

During correspondence with PERS-92, she was informed that she had no breaks in service that were 31 days or more and she would not require a waiver nor would she need to request waiver to obtain ISP eligibility. Furthermore, LNC was informed she had crossed the ISP threshold due to being on Active Duty orders from 29 December 2016 through 30 September 2023. LNC was misinformed on several occasions on what qualifications were required to receive ISP specifically that she did not need to be denied orders in order to collect payment. Based on this misinformation, LNC opted not to pursue a sanctuary waiver and end her orders effective 30 September 2023. During further consultation with OPNAV N130, it was discovered they would not be able to approve a request for ISP because PERS-92 did not deny the member orders.

After reviewing and evaluating [REDACTED] case, I am requesting that she is paid for ISP accordingly. I firmly believe that if LNC hadn't been misinformed, she would have continued the waiver process and not have elected to end cancel her orders without the denial from OPNAV.”

On 1 May 2024, Commander, Navy Personnel Command notified [REDACTED], Member, United States House of Representatives that “[t]hank you for your correspondence on behalf of your constituent, Chief Petty Officer [REDACTED], United States Navy Reserve, requesting her Involuntary Separation Pay. Your desire to assist [REDACTED] is appreciated.

The Reserve Management Department, Individual Ready Reserve Branch, reviewed [REDACTED] Official Military Personnel File and found that she does not meet the eligibility requirements of the Chief of Naval Operation Instruction 1900.4A and Department of Defense Instruction 1332.29 to receive Involuntary Separation Pay. In accordance with [REDACTED] Statement of Service and Navy Standard Integrated Personnel System, Navy Enlisted Officer Participation System, which are enclosed, she performed a combination of Active Duty orders and Active Duty Training dating from 2015 to 2019. Active Duty Training orders do not qualify a Reserve member to Involuntary Separation Pay.

Additionally, [REDACTED] Statement of Service reflects a break in orders of over 30 days from October 1, 2023 to November 19, 2023. A Reserve service member must have performed 6 years of continuous Active Duty orders immediately before separation to be eligible for Involuntary Separation Pay.”

On 7 May 2024, Commanding Officer, Transaction Service Center, [REDACTED] notified Commander, Navy Personnel Command (PERS-9) that “[i]n response to reference (a), and in accordance with reference (b), Transaction Service Center (TSC) [REDACTED] has thoroughly reviewed the case. It is our finding that there is not sufficient evidence of a request for an orders extension and a subsequent denial. Specifically, [REDACTED] was an active Reserve service member, who was activated under temporary recall orders (enclosure (1)) on 1 October 2020 for a term of 36 months. Upon her release from active duty, [REDACTED] resumed normal Reserve activity with her Naval Reserve Command.”

Specifically, in accordance with reference (a), sub para 10.a, “[t]o be eligible for separation pay, a Reservist must have been involuntarily separated from active duty by the Secretary of the Navy or must have been denied a voluntary request for additional active duty. The request to remain

on active duty must be unqualified and must specify that the member will accept any assignment commensurate with member's pay grade, designator, or military occupation specialty (rating or Navy enlisted classification). The request must be submitted no later than six months prior to release from active duty." The memorandum from Commander, Navy Personnel Command (PERS-9) clearly states that "████████ chose not to pursue a sanctuary waiver and end her active duty on 30 September 2023 in accordance with her temporary recall orders. The basic requirement for entitlement to Involuntary Separation Pay was not met because there was no request to remain on active duty and subsequently, no denial

The PERS-9 memorandum details that ██████ had not been properly advised by PERS-92 regarding entitlement to ISP. It is our opinion that this information could provide a basis for ██████ to submit a request to the Board for Correction of Naval Records (BCNR) to correct her record to show that she did meet the requirements for ISP. This memorandum however, in and of itself is not sufficient to authorize ISP."

On 3 September 2024, Commander, Navy Personnel Command (PERS-912) notified you that "[y]ou have completed all requirements to receive retired pay at or after age 60 under the provision of 10 U.S.C. Chapter 1223 and BUPERS1NST 1001.39F. Per MILPERSMAN 1820-040, eligibility may not be denied or revoked unless it resulted directly from fraud or misrepresentation on your part. NAVPERSCOM (PERS-912) will make corrections to accurately reflect points earned. Statement of Service for Navy Reserve Retirement is used to document your initial eligibility. An updated Statement of Service for Navy Reserve Retirement will be provided upon your retirement or discharge."

On 17 October 2024, Commander, Navy Personnel Command (PERS-93) notified you via Commanding Officer, ██████ that "[i]n accordance with MILPERSMAN 1001-125, your request for transfer has been approved."

On 7 February 2025, Commander, Navy Personnel Command (PERS-912) notified you that "[t]his default election letter is to inform you that you are subject to default coverage due to not returning a valid survivor election form within 90 days of issuance."

"Per 10 U.S.C. Chapter 1223, 10 U.S.C. Chapter 73, subchapters II and III through DoD Financial Management Regulation, Volume 7B, Chapter 42, we sent you a Notification of Eligibility (NOE) to Receive Retired Pay at/or after age 60 letter and the Reserve Component-Survivor Benefit Plan (RC-SBP) election certificate on September 3, 2024. The NOE informed you that you had 90 days from the date of receipt to respond back to us, or you would be automatically enrolled in the plan."

You requested Involuntary Separation Pay (ISP) subsequent to your release from active duty on 30 September 2023. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you did not meet the eligibility criteria outlined in OPNAVINST 1900.4A. Specifically, the policy indicates that separation pay will be paid to members involuntarily separated from active duty and to those not accepted for an additional tour of active duty for which they volunteered. Additionally, member must have completed at least 6 years of continuous active duty service immediately prior to separation. A period of active duty service is continuous if any break in service does not exceed 30

days. However, the policy further specifies that members released from active duty for training (ADT) are not eligible for separation pay.

You assert that you request a “re-evaluation” of your case based on additional official documentation that proves your continuous Active Duty/Active Status (AD/AS) service. Further, “BCNR stated that I had two breaks in service: 1 October 2016 to 28 December 2016 and 24 February 2018 to 18 November 2019. This determination is incorrect. I was on Active Duty orders during these periods, and I have obtained NRRM (Navy Reserve Readiness Module) NROWS (Navy Reserve Order Writing System) records and funding allocations that verify my orders.” However, the Board determined that the evidence submitted in support of your request does not support your eligibility. You submitted evidence of a combination of AT/ADT orders for the period in question, however the completion of ADT did not provide a qualifying period of active duty service for ISP per the aforementioned policy. Furthermore, the Board could not find, nor did you provide evidence of being involuntarily separated from active duty and/or proof that you were not approved to continue on active duty. On the contrary, there is evidence of your request for a 12 month extension of your Recall orders and waiver of over 16 years cumulative total active duty service being favorable endorsed by your chain-of-command. Therefore, in this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion and determined that a change to your record is not warranted.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

9/24/2025

[REDACTED]
Deputy Director
Signed by: [REDACTED]