



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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OPNAVINST 1820.1A
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OPNAV INSTRUCTION 1820.1A

From: Chief of Naval Operations

Subj: VOLUNTARY RETIREMENT OF MEMBERS OF THE NAVY RESERVE NOT ON THE ACTIVE DUTY LIST (INCLUDING NAVY RESERVISTS ON ACTIVE DUTY IN FULL TIME SUPPORT)

Ref: (a) 10 U.S.C.
(b) DoD Instruction 1200.15 of 18 Sep 97
(c) SECNAVINST 1920.6C
(d) DoD Instruction 1332.14 of 28 Aug 2008
(e) SECNAVINST 1850.4E
(f) OPNAVINST 1811.3

Encl: (1) Retirement of Inactive Duty and FTS Personnel - General
(2) Voluntary Retirement of Officers of the Navy Reserve
(3) Voluntary Retirement of Enlisted Members of the Navy Reserve
(4) Definitions

1. Purpose

a. To provide policy governing voluntary retirement of inactive duty officers and enlisted members serving in the Navy Reserve and those Navy Reservists on active duty in the Full Time Support (FTS) program.

b. To incorporate applicable provisions of reference (a) and address recent changes in law and Department of Defense policy.

2. Cancellation. OPNAVINST 1820.1.

3. Applicability

a. This instruction applies to all inactive duty officers and enlisted members of the Navy Reserve component and all FTS

officers and enlisted members not on the active duty list who qualify for retirement per references (a) and (b). Enclosures (1) through (4) provide specific guidance and definitions regarding qualifications for voluntary retirements.

b. Involuntary separation of officers for cause is covered in reference (c). Involuntary separation of enlisted members for cause is covered in reference (d).

c. Disability retirement is covered in reference (e).

d. Transfer of enlisted members on active duty to the Fleet Reserve, other than FTS and other Ready Reserve personnel, is covered by reference (f).

4. Responsibilities. Chief of Naval Personnel (CHNAVPERS) is responsible for:

a. Establishing and implementing procedures to accurately determine eligibility and to notify, within 1 year following eligibility, each reserve member qualified for non-regular retired pay, per paragraph 2 of enclosure (1) to this instruction. Additionally, notification of available survivor benefit options per the Reserve Component Survivor Benefit Plan (RCSBP) will be included with the notification of eligibility (NOE). Included in this responsibility are periodic audits of the process.

b. Maintaining for the Secretary of the Navy (SECNAV) a list of members in the Retired Reserve, per reference (a), section 12774(a).

c. Maintaining for SECNAV a list of members entitled to retired pay, per reference (a), section 12774(b).

d. Maintaining instructions on how to apply for retirement.

5. Requesting Retired Pay. The DD 108 Application for Retired Pay Benefits is to be used by members requesting non-regular retired pay, when eligible to receive it. Non-regular retired pay cannot commence until formally requested by the member.

6. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV Manual 5210.1 of November 2007.

7. Form. DD 108 Application for Retired Pay Benefits is available from the Department of Defense Forms Management Program Web site at <http://www.dtic.mil/whs/directives/infomgt/forms/index.htm>.



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RETIREMENT OF INACTIVE DUTY AND FTS PERSONNEL - GENERAL

1. Retirement of Inactive Duty Reservists Qualified for Retired Pay. CHNAVPERS may transfer inactive duty reservists O6 and below to the Retired Reserve when requirements specified in reference (a), section 12731, are completed. Transfers shall be conducted upon members' request, if eligible. CHNAVPERS may also transfer eligible members to the Retired Reserve, when no request is received following notification of required separation per references (c) or (d). Eligibility criteria include the following:

a. Member has performed at least 20 years of qualifying service computed under reference (a), section 12732, or is a selected reserve (SELRES) member with 15 to 20 years of qualifying service and is medically disqualified or meets requirements of any other authorized early retirement program;

b. Member, who has earned 20 or more years of qualifying service before 26 April 2005, must perform the last 6 years of qualifying service in a Reserve Component of the Armed Forces or a component listed in reference (a), section 12732(a)(1). A member who completes 20 years of qualifying service on or after 26 April 2005, is exempt from this requirement;

c. Member must not be entitled, under any other provision of law, to retired pay or retainer pay from an armed force; or

d. Member does not meet any of the exclusions listed in reference (a), section 12731(c).

2. NOE for Retired Pay for Reservists Not on Active Duty. Reservists not on full-time active duty, who become eligible for retirement with pay per reference (a), section 12731, will be notified of their eligibility. CHNAVPERS shall send a NOE for retired pay to the member within 1 year of completing qualifying service. Additionally, advisement of available survivor benefit elections per the RCSBP shall be included in the NOE. Once an NOE is issued, a member's eligibility for retired pay may not be revoked on the basis of error, misinformation, miscalculation or administrative determination of years of service, unless it resulted directly from fraud or misrepresentation of that error.

3. Voluntary Retirement of FTS and other Qualified Navy Reserve Personnel. CHNAVPERS may transfer FTS and other qualified Navy Reserve personnel to the Fleet Reserve and retired list per reference (a), chapter 571, if they meet the following qualifications:

a. Officers. Officers must have 20 years of active service of which at least 10 years was service as a commissioned officer.

Note: During drawdown periods, active commissioned service time may be temporarily reduced as authorized by law.

(1) Years of service are computed by adding all periods of active service in the Armed Forces. A minimum of 7,305 active duty days must be served to meet the 20-year threshold.

(2) Years of service as a commissioned officer are computed by adding all years of active service under temporary or permanent appointment in grades above warrant officer, W1.

b. Enlisted Members. Per reference (a), section 6330, enlisted members must have completed 20 years of active service in the Armed Forces.

(1) A completed minority enlistment shall be counted as 4 years of active service as provided for in reference (a), section 6330.

(2) An enlistment terminated less than 3 months before the end of the term of enlistment shall be counted as active service for the full term as provided for in reference (a), section 6330.

c. Both Officers and Enlisted Members. Members, who attain eligibility to receive regular retired and retainer pay per reference (a), are not permitted to participate further as Ready Reservists, following their separation from active duty. At the time of separation from their last period of active duty orders (which includes annual training, active duty for training, active duty for special work (ADSW), active duty for operational support, mobilization, and recall), they are to be transferred to Retired Reserve or Fleet Reserve status per their request, to

start receiving retired and retainer pay. Members, who do not elect retirement at the time of separation from active service, are to be transferred to the inactive status list, until their request for retirement with pay is received and processed per reference (a). Volunteers desiring to remain on active duty beyond the completion of their partial mobilization or ADSW orders, after 20 years of active service, must submit either a definite (temporary) recall request for continued operational support service; or an indefinite recall request to be recalled to the active duty list, per MILPERSMAN 1320-150. Any such request must be submitted at least 6 months in advance of their retirement eligibility date.

4. Voluntary Retirement of Flag Officers. Flag officers will be considered for voluntary retirement on the basis of service needs reflected in the annual promotion and continuation plans approved by SECNAV and the merits of the individual case as required by reference (a), section 1370. All retirements of flag officers require SECNAV approval.

5. Former Members. Members of the Navy Reserve, who become eligible for non-regular retired pay by meeting the service requirements of reference (a), section 12731, and who are subsequently discharged, are referred to as "former members." Having been discharged, these individuals no longer hold any military status. They are, however, entitled to receive benefits approved per reference (a), chapter 54, but compensation at age 60 will necessarily be adjusted to account for their earlier separation from the naval service.

6. Non-Regular Retirement Eligibility of Certain Active Component Navy Members. With the removal of "the last 6 years in a Reserve Component" requirement, effective 26 April 2005, certain members of the active component, who have previous reserve service and are separated from active service before achieving regular retirement, may meet non-regular retirement eligibility requirements per reference (a), section 12731, at the time of separation from active duty. If such members have completed 20 years of qualifying service and are otherwise eligible for non-regular retired pay and benefits, they may be

offered an opportunity to enter the Navy Reserve long enough to retire as reservists. If deemed appropriate, they may receive retirement benefits as former members.

7. Retirement of Reservists Not Qualified for Retired Pay

a. Reference (b) no longer addresses the "Honorary Retiree" program. Members previously transferred to the Retired Reserve in an honorary status will maintain their retired status.

b. Reservists who possess special qualifications or critical professional skills or are required by law to maintain status, who are not eligible for non-regular service retired pay, but are subject to mandatory removal from an active status, may be transferred to Retired Reserve status in lieu of discharge, as approved by CHNAVPERS.

8. Transfer to "Retired" Status as an Act of Finality. Once properly transferred to retired status, members are not permitted to transfer to either Ready Reserve status or Standby Reserve status. Should members be needed to meet continuum of service demands for recall to active duty, orders to active duty will necessarily be accomplished while the member remains in a "Retired" status.

9. Receipt of Non-regular Retired Pay. Normal eligibility for receipt of non-regular retired pay per reference (a), section 12731, begins when a member reaches age 60. Earlier receipt of retired pay will occur in three month increments for each period of 90 days of credible service performed after 28 January 2008.

VOLUNTARY RETIREMENT OF OFFICERS OF THE NAVY RESERVE

1. Authority to Approve Requests for Transfer to the Retired Reserve. CHNAVPERS, acting for SECNAV, is authorized to approve requests for retirement. This authority may not be further delegated. CHNAVPERS will normally deny, for SECNAV, requests for retirement that do not satisfy the policy and eligibility criteria established by this instruction.

2. Retirement Requests. Retirement requests from officers will only be approved when all the requirements for retirement contained in reference (a) and this instruction have been met. Officers selected for promotion after 1 October 1996, who have accepted promotion to the next higher grade, must meet the applicable minimum time-in-grade requirement in paragraph 3 of this enclosure or request retirement in their previously held grade. Frocking does not constitute acceptance of a promotion.

3. Retired Grade Determination for Commissioned Officers in Pay Grades O1 and Above

a. Retirement from active duty

(1) For grades O1 through O4, a minimum of 6 months of active duty must be served in grade to retire in that grade.

(2) For grades O5 through O8, a minimum of 3 years of active duty must be served in grade to retire in that grade.

(3) Time-in-grade requirements for O5 and above officers may be reduced from 3 years to 2 years as provided by reference (a), section 1370(a). Reduced time-in-grade retirements for O5 and O6 officers to retire in current grade may be approved by CHNAVPERS. For grades O7 and O8, retirement in current grade requires Under Secretary of Defense for Personnel and Readiness (USD (P&R)) approval.

(4) Once notified by CHNAVPERS of their required separation from active duty without their consent, members who request retirement are considered to have retired involuntarily. Involuntary retirement requires only 6 months of active duty service in grade to retire in that grade.

(5) Officers requesting retirement for reasons prescribed in reference (a), chapter 60, are considered to have retired voluntarily.

b. Retirement from inactive duty (non-regular retirement under reference (a), section 1223)

(1) Reserve commissioned officers in the grade of O1 and above, who request voluntary retirement, shall be retired in their current grade, (if held satisfactorily). Members who held a higher rank earlier in their careers, regardless of branch of service, will be concurrently promoted to the higher rank at the time they receive retired pay. The following time-in-grade requirements as specified per reference (a), section 1370(d), must also be met to retire in the current and highest pay grade.

(a) Inactive duty officers in the grades of O1 through O4: 6 months.

(b) Inactive duty officers in the grades of O5 and above: 3 years.

(c) Time-in-grade requirements may be reduced from 3 years to 2 years as provided by reference (a), section 1370(d). Reduced time-in-grade retirements for O5 and O6 officers to retire in current grade may be approved by CHNAVPERS. Reduced time-in-grade retirements for O7 and O8 officers require USD (P&R) approval.

(d) Unless entitled to a higher grade under any other provision of reference (a), reserve commissioned officers who are involuntarily separated because of age, years of service, or physical disability, may retire in the grade in which they are satisfactorily serving, so long as such service has been for a period of not less than 6 months.

(e) For non-regular retirees, the time-in-grade requirements listed above must be served in an active status (i.e., the Ready Reserve or the Standby Reserve-Active). Additionally, CHNAVPERS shall, for SECNAV, make determinations of satisfactory service taking into consideration any misconduct or moral or professional dereliction, which results in courts-martial or separation for cause.

(2) Inactive duty members not meeting the requirements for non-regular retirement per reference (a), section 1223, but allowed to retire under enclosure (1), paragraph 7b must also meet time-in-grade requirements listed in paragraph 3 of this enclosure.

c. An officer, whose length of time in the highest grade held does not meet the above service-in-grade requirements, shall be retired in the next lower grade in which service was satisfactorily performed.

d. Reference (c) provides further guidance regarding determination of satisfactory performance in a particular pay grade.

4. Warrant Officers. Unless entitled to a higher grade under any provision of reference (a), warrant officers shall be retired in the grade held on the day before the date of retirement or in any higher warrant officer grade they served in satisfactorily on active duty, as determined by SECNAV, for a period of more than 30 days per reference (a), section 1371.

VOLUNTARY RETIREMENT OF ENLISTED MEMBERS OF THE NAVY RESERVE

1. Authority to Approve Requests for Transfer to the Retired Reserve. CHNAVPERS, acting for SECNAV, will establish procedures for, and is authorized to approve, requests for transfer of enlisted members to the Retired Reserve. This authority may not be further delegated.

2. Retirement Requests

a. Retirement requests from enlisted members will be approved when all of the requirements for retirement contained in reference (a) and this instruction have been met. Enlisted members, upon assignment or transfer to the Retired Reserve, shall be retired in their current pay grade (if held satisfactorily). Members who held a higher pay grade at any time in their military careers, regardless of branch of service, will be concurrently advanced at the time they receive retired pay. CHNAVPERS shall make determinations of satisfactory service for SECNAV. Factors used in making this determination are:

(1) Time served in current or higher pay grade;

(2) Any report of misconduct, moral, or professional dereliction, conduct not in the interest of national security, or conviction by courts-martial; and

(3) The nature and severity of any misconduct.

b. If CHNAVPERS determines that the member's service was not satisfactory in the highest grade, the retired grade will be the next lower pay grade in which satisfactory service was performed.

c. Advancement to E7, E8, or E9 requires the completion of 24 months of service in the new pay grade as a member of the Ready Reserve or Standby Reserve-Active. Enlisted personnel, who accept advancement, must meet time-in-grade requirements prior to transfer to the Retired Reserve or the Fleet Reserve. Frocking does not constitute acceptance of advancement. Members who do not complete the time-in-grade requirement will normally submit their request in the previously held pay grade. Members, who through no fault of their own are unable to complete time-in-grade requirements, may request a waiver from CHNAVPERS to permit

retirement or transfer to the Fleet Reserve at the higher pay grade. Additionally, during times when early retirement is being offered due to force shaping initiatives, time-in-grade requirements may be waived by CHNAVPERS for inactive duty reservists. Members involuntarily retired will be permitted to retire in the highest pay grade satisfactorily served as defined in paragraph 2a of this enclosure.

3. Qualification for Voluntary Retirement of Enlisted FTS Personnel. Per reference (a), sections 6330 and 6331, FTS and other Navy Reserve enlisted personnel shall, upon application, be transferred to the Fleet Reserve, if qualified, after completion of at least 20 years of active service in the Armed Forces. After completing 30 years of military service, members of the Fleet Reserve and Navy Reservists on active duty retiring in the FTS program shall be transferred to the retired list. Years of active service in the Armed Forces are computed as defined in enclosure (1) of this instruction.

DEFINITIONS

1. Active Commissioned Service. Service on active duty as a commissioned officer or commissioned warrant officer.
2. Active Service. Service on active duty.
3. Active Status. Service as an officer of the Navy Reserve on the reserve active status list, or on the active duty list. Service of an enlisted member in the Ready Reserve or Standby Reserve-Active. Includes FTS personnel.
4. Full Time Support (FTS). Reserve component personnel assigned to assist in organizing, administering, recruiting, retention or training of Reserve component personnel. FTS personnel in the Department of the Navy include Navy Reserve members formerly known as training and administration of the reserves, canvasser recruiters, and personnel on ADSW for periods greater than 179 consecutive days.
5. Inactive Duty. Service performed by reservists not on active duty (SELRES or Individual Ready Reserve (IRR)).
6. Individual Ready Reserve (IRR). Ready Reservists who are in a non-drill pay status or in a non-drill status.
7. Involuntary Retirement. Reserve members on active duty, who are notified of being released from active duty without their consent, and thereafter request transfer to the Retired Reserve under reference (a), section 6327, and are retired per that request, are considered to have retired involuntarily.
8. Qualifying Service. Accumulation of a minimum of 50 retirement points in an anniversary year is considered a "qualifying year" (satisfactory Federal service) for non-regular retirement purposes.
9. Ready Reserve. The SELRES and the IRR, consisting of units and individuals liable for immediate recall to active duty in time of war or national emergency declared by Congress, proclaimed by the President or when otherwise authorized by law.

10. Selected Reserve (SELRES). That part of the Ready Reserve consisting of Reserve units, as designated by SECNAV, and of individual reservists, in pay status, required to participate in inactive duty training periods and annual training. SELRES also includes Active Guard and Reserve and individual mobilization augmentee personnel.

11. Standby Reserve, Active Status List (USNR-S1). Reserve members transferred to the Standby Reserve, but remaining in an active status, who are liable for active duty service only in time of war or national emergency declared by the Congress or when otherwise authorized by law.

12. Voluntary Retirement. Retirement based on a voluntary request from an individual for transfer to the Retired Reserve, which has not been the result of notification action requiring involuntary separation from active duty or inactive duty.