



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

OPNAVINST 1820.1B
N1/PERS-9
24 Oct 2013

OPNAV INSTRUCTION 1820.1B

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 September 1997
(c) SECNAVINST 1920.6C
(d) DoD Instruction 1332.14 of 28 August 2008
(e) SECNAVINST 1850.4E
(f) OPNAVINST 1811.3A

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 1820.1A.

3. Applicability

a. This instruction applies to all inactive duty officers and enlisted members of the Navy Reserve Component (RC) 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. 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 Form 108 Application for Retired Pay Benefits is to be used by members requesting non-regular retired pay, when eligible to receive it. Non-regular service 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 January 2012.

OPNAVINST 1820.1B
24 Oct 2013

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



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Deputy Chief of Naval Operations
(Manpower, Personnel, Training
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RETIREMENT OF INACTIVE DUTY AND FTS PERSONNEL - GENERAL

1. Retirement of Inactive Duty Reservists Qualified for Retired Pay. Upon receipt of a member's request, CHNAVPERS may transfer inactive duty reserve enlisted and officers (O-6 and below) to the Retired Reserve when the requirements specified in reference (a), section 12731, have been met. Absent a request from an otherwise eligible member, CHNAVPERS may still transfer inactive duty reservists to the Retired Reserve provided the notification procedures outlined in reference (c) have been completed. 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 must not be entitled under any other provision of law to retired pay or retainer pay from another armed force; and

c. Member is not precluded from receiving retired pay under reference (a), section 12731(c).

2. Notification of Eligibility for Retired Pay for Reserve Personnel Not on Active Duty. Reserve personnel 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 notification of eligibility for retired pay to the member within 1 year of completing qualifying service requirements. The notification of eligibility shall include election options under the RCSBP. Once a notification of eligibility is issued, a member's eligibility for retired pay may not be revoked due to misinformation, miscalculation, or other administrative error which caused an incorrect computation of years of service, unless such error was caused by fraud or other intentional misrepresentation.

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 in the Armed Forces of which at least 10 years was service as a commissioned officer. SECNAV may reduce the commissioned officer service requirement to 8 years via a waiver process 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, W-1.

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.

4. Service Limitations Upon Attaining Retired or Retainer Pay Eligibility. Reserve officers and enlisted members who become eligible to receive regular retired or retainer pay per reference (a) shall not be permitted to participate further as Ready Reservists following their release from active duty (to include annual training, active duty for training, active duty for special work (ADSW), active duty for operational support, mobilization, and temporary recall). Members must instead either elect to (1) retire; or (2) transition to the Active Component (AC). If the member does not request either option, he or she will be transferred to the Standby Reserve-Inactive. Only members who have previously received permission from Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education (CNO (N1)), Military Personnel Plans and Policy (OPNAV (N13))), to attain regular retirement are eligible for consideration for transition to the AC. Members requesting transition to the AC must submit their request using the format

in exhibit 1 at least 12 months in advance of their retirement eligibility date or expiration of their current set of orders (whichever is earlier). Once a member reaches retirement or retainer eligibility, his or her subsequent return to inactive duty (for any duration) will result in a transfer to the retired list or Fleet Reserve at the member's request; or transfer to Standby Reserve-Inactive absent such request.

5. 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. Flag officers that qualify for a regular retirement (achieve 20 years of active service) will not be allowed to perform inactive duty training or inactive duty training travel drills for pay, but will be allowed to remain on active duty or serve in the Individual Ready Reserve (IRR) until retirement. All flag officer retirements require SECNAV approval.

6. Former Members. Members of the Navy Reserve, who become eligible for non-regular service 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.

7. Non-Regular Service Retirement Eligibility of Certain AC Navy Members. With the removal of "the last 6 years in a Reserve Component" requirement, effective 26 April 2005, certain members of the AC, who have previous reserve service and are separated from active service before achieving regular retirement, may meet non-regular service 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 service retired pay and benefits, they may be offered an opportunity to enter the Navy Reserve long enough to retire with a non-regular service retirement. If deemed appropriate, they may receive retirement benefits as former members.

8. Retirement of Reserve Personnel 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. Reserve personnel 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.

9. 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 or Standby Reserve status. Should members be needed to meet continuum of service demands for recall to active duty, orders to active duty will only be accomplished while the member remains in a "Retired" status.

10. Receipt of Non-regular Service Retired pay. Normal eligibility for receipt of non-regular service retired pay per reference (a), section 12731, begins when a member reaches age 60. The National Defense Authorization Act 2008, section 647, modified reference (a), section 12731, to allow earlier receipt of retired pay in 3-month increments for accrued periods of qualified active service of 90 days performed after 28 January 2008.

EXHIBIT 1. SAMPLE REQUEST TO TRANSITION TO ACTIVE COMPONENT

From: Rank/Rate, Name
To: Commander, Navy Personnel Command
Via: (1) Commanding Officer, (Current Unit)
(2) Commander, Navy Personnel Command (PERS-92)
(3) Commander, Navy Personnel Command (PERS-4)
(4) Director, Military Community Management (BUPERS-3)

Subj: REQUEST TO TRANSITION TO ACTIVE COMPONENT IN CASE OF
(RANK/RATE, NAME, USNR, DESIG)

Ref: (a) OPNAVINST 1820.1B

Encl: (1) Sanctuary approval letter

1. Having been allowed to reach regular retirement per enclosure (1), I request to transition to the Active Component (AC) of the Navy per reference (a). I understand that upon transition, I will become subject to applicable AC force management policies and will be made available for worldwide detailing based upon the needs of the Navy.

2. Further, I understand that should my request be disapproved, I will be required to either retire or be transferred to the Standby Reserve-Inactive list upon completion of my current active duty orders.

3. The following information is provided for your review:

a. Current active duty orders type (ADSW, mobilization, military personnel recall, reserve personnel recall (including Canvasser Recruiter Program)):

b. Current command or unit identification code:

c. Current billet name or billet identification number:

d. Orders start date or orders end date:

e. Date I will reach 20 years active service:

4. Contact information:
 - a. Home address (city, State, ZIP Code):
 - b. Home phone:
 - c. Work phone:
 - d. Cell phone:
 - e. E-mail 1:
 - f. E-mail 2:

//Member's signature//

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 that 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 O-1 and Above

a. Retirement from active duty

(1) For grades O-1 through O-4, a minimum of 6 months of active duty must be served in grade to retire in that grade.

(2) For grades O-5 through O-8, a minimum of 3 years of active duty must be served in grade to retire in that grade.

(3) Time-in-grade requirements for O-5 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 O-5 and O-6 officers to retire in current grade may be approved by CHNAVPERS. For grades O-7 and O-8, 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 service retirement under reference (a), section 1223)

(1) Reserve commissioned officers in the grade of O-1 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 or highest pay grade.

(a) Inactive duty officers in the grades of O-1 through O-4: 6 months.

(b) Inactive duty officers in the grades of O-5 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 O-5 and O-6 officers to retire in current grade may be approved by CHNAVPERS. Reduced time-in-grade retirements for O-7 and O-8 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 service 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 service 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 E-7, E-8, or E-9 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 chief 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). RC personnel assigned to assist in organizing, administering, recruiting, retention or training of RC 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 IRR).
6. Individual Ready Reserve (IRR). Ready Reservists that 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 service retirement purposes.
9. Ready Reserve. The members of the SELRES and IRR which are liable for active duty as prescribed by law (reference (a), sections 10142, 12301, and 12302).
10. Selected Reserve (SELRES). Those units and individuals within the Ready Reserve designated by their respective Services and approved by the Joint Chiefs of Staff as so essential to initial wartime missions that they have priority over all other

Reserves. Selected reservists actively participate in a reserve component training program. The SELRES also includes persons performing initial active duty for training, Active Guard, and reserve personnel.

11. Retired Reserve. All reserve members who receive retirement pay on the basis of their active duty and or reserve service; those members who are otherwise eligible for retirement pay but have not reached age 60 and who have not elected discharge and are not voluntary members of the ready or standby reserve.

12. Standby Reserve. The standby reserve consists of units or members, or both, of the reserve components, other than those in the ready reserve or the retired reserve, who are liable for active duty only as provided in sections 10151, 12301 and 12306 of reference (a).

13. Standby Reserve-Active. Members in the Standby Reserve who have a remaining military service obligation, a temporary hardship, a key employee designation, or for other cogent reasons as determined by the Secretary, that prevents participation in training on a regular basis, or those retained in active status under the provisions of section 12646 of reference (a). This also includes Standby Reserve members of Congress and others identified by their employers as "key personnel" and have been removed from the Ready Reserve because they are critical to the national security in their civilian employment.

14. Standby Reserve-Inactive. Members in the Standby Reserve who are not required to remain a Ready Reservist and who cannot participate in prescribed training, fail to meet the standards prescribed in sections 12641 and 12642 of reference (a), or volunteer per section 12735 of reference (a). These members include Standby Reservists who are not required by law or regulation to remain in an active program and who retain their reserve affiliation in a nonparticipating status, and those who have skills which may be of possible future use to the armed force concerned. Inactive status list members may not train for points or pay, and are not eligible for promotion. This status category includes members transferred to inactive status in lieu of separation under section 1209 of reference (a).