



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
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OPNAVINST 1820.1
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24 Dec 05

OPNAV INSTRUCTION 1820.1

From: Chief of Naval Operations

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

Ref: (a) 10 U.S.C.
(b) DOD Instruction 1200.15 of 18 Sep 97
(c) SECNAVINST 1920.6B
(d) DOD Directive 1332.14 of 21 Dec 93
(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 (DOD) policy.

2. Cancellation. SECNAVINST 1820.2C.

3. Applicability

a. This instruction applies to all inactive duty officers and enlisted members of the Navy Reserve and all FTS officers and enlisted members not on the Active Duty List (ADL) 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. Retirement of Reserve Officers on the ADL of the Navy and transfer of Reserve enlisted members on active duty to the Fleet Reserve, other than FTS personnel, are covered by reference (f).

4. Responsibilities. The 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 person qualified for retired pay at age 60 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 Secretary of the Navy (SECNAV) a retired list of members in the Retired Reserve, per reference (a), section 12774(a).

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

d. Maintaining instructions on how to apply for retirement.

5. Form. DD 108 (7/02), Application for Retired Pay Benefits, S/N 0107-LF-131-3400, may be obtained using requisitioning procedures contained in Navy Forms Online at

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<http://forms.daps.dla.mil>. This form is used by the member to request retired pay at age 60.

/s/

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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 to the Retired Reserve inactive duty reservists O6 and below who complete the requirements specified in reference (a), section 12731. Transfers shall be conducted upon member 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 15-20 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 24 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 24 April 2005 is exempt from this requirement.

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

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

2. Notice of Eligibility (NOE) for Retired Pay for Reservists Not on Active Duty. Reservists not on active duty who become eligible for retirement with pay at age 60 will be notified of their eligibility per reference (a), section 12731. Upon reaching age 60, such members are entitled, upon application, to receive retired pay. 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 Qualified SELRES Personnel. CHNAVPERS may transfer FTS and qualified SELRES personnel to the Fleet Reserve and Retired List per reference (a), chapter 571, if they meet the following qualifications:

a. Officers. Under section 6323 of reference (a), an officer 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 years of active service in the Armed Forces.

(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 Chief Warrant Officer, W1.

b. Enlisted Members. Per reference (a), section 6330, an enlisted member must have completed 20 years of active service in the Armed Forces. In determining a member's eligibility for transfer to the Fleet Reserve:

(1) A completed minority enlistment shall be counted as 4 years of active service as provided for in reference (a), section 6330 if that service was creditable to the member before 31 December 1977.

(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 if that service was creditable to the member before 31 December 1977.

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 at or after age 60 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. 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 are not qualified for retired pay at age 60, and are required by law to be retired or discharged from the Navy Reserve, may be transferred to Retired Reserve status in lieu of discharge when:

(1) They possess critical professional skills which are identified by CHNAVPERS as necessary to be retained in the inventory, or

(2) They are required by law to maintain military status to receive separation pay (i.e., VSI recipients). Members transferred to Retired Reserve status per this paragraph, retain their military status but are not entitled to carry the DOD ID card or receive retired pay and benefits at age 60, unless they are recalled to active duty in a retired status and qualify for such at a later date.

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 and 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 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. O7 and O8 retirements in current grade require 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), chapter 1223).

(1) Unless entitled to a higher grade under any provision of reference (a), Reserve commissioned officers in the grade of O1 and above who request voluntary retirement shall be retired in the highest grade satisfactorily served upon completion of the following time-in-grade requirements:

(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. O7 and O8 retirements at current grade require USD (P&R) approval.

(2) Unless entitled to a higher grade under any other provision of reference (a), Reserve commissioned officers who are 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.

(3) 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.

(4) Inactive duty members not meeting the requirements for non-Regular retirement per reference (a), chapter 1223, but allowed to retire under paragraph 6b of enclosure (1), 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. Chief 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 only 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 the highest pay grade in which they have served satisfactorily as described in this paragraph, or in the highest grade eligible under any provision of reference (a). 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.

(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 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 service, members of the Fleet Reserve, Navy Reservists on active duty in the FTS Reserve 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 (RASL), or on the Active Duty List (ADL). 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 DON include Navy Reserve members formerly known as TARs, Canvasser Recruiters (CANRECs), and personnel on Active Duty for Special Work (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 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 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. Secretary of the Navy (SECNAV). SECNAV, with respect to

matters concerning Navy, Marine Corps, and Coast Guard when it is operating as a service in the Navy.

11. 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 IDT periods and annual training. SELRES also includes Active Guard and Reserve and Individual Mobilization Augmentee (IMA) personnel.

12. 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 only in time of war or national emergency declared by the Congress or when otherwise authorized by law.

13. 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.