

## MILPERSMAN 1910-102

### SEPARATION BY REASON OF CHANGES IN SERVICE OBLIGATION (ACTIVE DUTY AND INACTIVE NAVAL RESERVIST)

<b>Responsible Office</b>	NAVPERSCOM (PERS-832) Active enlisted members	Phone:	DSN COM FAX	882-4431 (901) 874-4431 882-2754
	NAVPERSCOM (PERS-913) Enlisted inactive duty reservists	Phone:	DSN COM FAX	882-4503 (901) 874-4503 882-2673
NAVPERSCOM CUSTOMER SERVICE CENTER		Phone:	Toll Free	1-866-U ASK NPC

<b>References</b>	(a) BUPERSINST 1001.39D (b) 10 U.S.C. 651
-------------------	--

1. **Separation Authority.** Commander, Navy Personnel Command (COMNAVPERSCOM).

2. **Policy**

a. **COMNAVPERSCOM** may authorize or direct separation of enlisted personnel prior to expiration of active obligated service (EAOS) due to

(1) general de-mobilization or a reduction in authorized strength.

(2) acceptance of an active duty commission of permanent appointment or acceptance into a program leading to an active duty commission of appointment in any branch of the Armed Forces.

b. **Commanding officers** (COs) are authorized to separate or transfer for separation within 90 days of EAOS enlisted personnel when

(1) a ship or mobile unit is about to deploy with probability of not returning to the United States before expiration of member's EAOS and with type commander approval.

(2) the homeport of a ship or command changes and there is insufficient time to return the member to the old homeport for separation processing or to complete separation processing at the new homeport prior to member's EAOS.

(3) a member is in a temporary duty (TEMDU) under treatment status or has been found physically qualified to resume full duty, regardless of duty status, within 3 months or less of EAOS and who does not desire to reenlist. The CO of the medical activity or the member's parent CO is authorized to separate or transfer a member for separation.

(4) a member was received from an overseas activity, who is awaiting separation at a separation activity (MILPERSMAN 1910-812 refers) by reason of EAOS, and member has not indicated a desire to reenlist.

(5) unit is deactivating. Separation date must be during month of deactivation.

3. **Members Transferred to Another Activity.** If member is transferring to another activity for separation, complete the separation within 10 calendar days of transfer unless the CO determines special circumstances exist, and member should be discharged at a later date. Do not transfer personnel to another activity for separation solely to await their EAOS.

a. A member may be separated

(1) up to 3 days prior to EAOS, when EAOS expires on a Saturday, Sunday, a holiday, or a day preceding a national holiday.

(2) up to 90 days prior to EAOS, upon completion of a cruise, when member extended enlistment for the express purpose of participating in or completing the cruise.

(3) up to 31 days prior to EAOS when assigned to a ship or unit that returns from an extended deployment (6 months or more).

(4) no earlier than 14 December of the year of the member's EAOS, if EAOS expires between 21 December and 3 January of the following year.

b. Early separation need not be authorized for a member

(1) who, in the judgment of the CO, cannot be spared.

(2) who does not desire early separation.

(3) who is a reservist undergoing active duty for training.

(4) whose EAOS will occur during the period above as a result of any other early release program.

(5) who is scheduled for transfer to Fleet Reserve or retirement.

(6) who is returning from a permanent overseas duty station and does not desire early separation.

(7) who is serving overseas and is entitled to and elects transportation to an area outside continental United States (CONUS); however, member may request separation prior to arrival in CONUS.

4. **Two-Crew Trident Submarines.** Due to the unique nature of Trident submarine patrols versus standard 6-month deployments, Trident COs may, with concurrence of the Submarine Group Commander, separate on board crew members who are within 90 days of EAOS upon return from a strategic patrol of 60 days or more and who do not intend to reenlist. Personnel whose EAOS is greater than 90 days on the date of return from patrol will be reassigned per Force Commander's guidance.

5. **Criteria for General Demobilization.** COMNAVPERSCOM may approve a voluntary separation request from a member when

a. Navy is in an authorized period of reduction (end-strength).

b. member is within 1 year of EAOS.

c. member is not serving in a rating, Navy Enlisted Classification (NEC) code, occupational field, or military

occupational specialty which COMNAVPERSCOM determines to be undermanned.

d. a contact relief is not required and command is willing to gap the billet.

e. early separation will not effect the mission of the command.

#### 6. Commission in Another Branch of Service

a. Members interested in obtaining a commission in another branch of service must **first** request a conditional release via their CO to NAVPERSCOM, Enlisted Performance and Separation Section (PERS-4832) using NAVPERS 1306/7 (Rev. 1-03), Enlisted Personnel Action Request. If approved, member may then apply for a commissioning program.

b. Generally, the following will not be approved:

(1) Members who incurred additional obligated service (OBLISERV) or any other NEC-producing schools with OBLISERV.

(2) Members in ratings listed in Career Reenlistment Objectives (CREO) Group 1 or with critically undermanned skills or NECs.

c. Upon official notification of selection for appointment or commission in another branch of the Armed Forces, member must request separation via their CO to Navy Personnel Command (NAVPERSCOM) (PERS-832) using NAVPERS 1306/7 and include a copy of the acceptance or appointment letter and reporting requirement from the officer program.

d. Selective reenlistment bonus may be recouped if released for commissioning under this article.

#### 7. Selected Reserve Personnel

a. Navy reservists may request a discharge via DD 368 (Rev. 11-94), Request for Conditional Release. Requests from members who fall into the below categories will be adjudicated per reference (a):

(1) Have been accepted for enlistment in a Reserve component of another branch of Armed Forces for purpose of enrolling in an officer training program.

(2) Desire a transfer to enroll in an officer candidate program, including college level Reserve Officer Training Corps (ROTC), and the prospective gaining component accepts member. Requests will be approved provided the Navy reservist has no mandatory drilling obligation.

(3) Have not received an enlistment or reenlistment bonus for current term of enlistment.

(4) Have been accepted for appointment to commissioned status in a Regular or Reserve component of any branch of the Armed Forces.

(5) Have been accepted for enlistment in Regular Army, Marine Corps, Air Force, or Coast Guard.

(6) Reservist is enrolled in the Non-Prior Service (NPS) Program.

b. NAVPERSCOM, Reserve Enlisted Personnel Section (PERS-913) is the authority to separate members listed above.

c. Reserve activity COs are authorized to grant clearance/separate Reserve members who are accepted for enlistment into Regular Navy component (including NPS personnel).

d. When the Reserve activity CO recommends disapproval to any request, forward request to NAVPERSCOM (PERS-913) for final determination.

**NOTE:** Once permission is granted, an interservice transfer will be accomplished by discharge from Navy Reserve for immediate enlistment or appointment to the gaining component. Do not interrupt continuity of the reservist's total military service. Members will be credited with the total amount of service accrued as of the effective date of discharge. A separation, for the purpose of interservice transfer, will not constitute release from, or fulfillment of, military service obligation established by reference (b). Additional service performance after the discharge will be counted toward fulfillment of obligation. The gaining Reserve component will furnish a copy

of DD 4 (Rev. 1-01), Enlistment/Reenlistment Document - Armed Forces of the United States (Page 1), or appointment order, to losing unit or activity within 15 days to permit timely discharge action. The losing command will ensure proper Navy Standard Integrated Personnel System (NSIPS) loss entries are entered without delay.

8. **Characterization of Separation.** Using Notification Procedures (MILPERSMAN 1910-402), the least favorable characterization of service is General. If member is in Entry Level Status, the description of service may be Entry Level Separation (ELS). (Does not apply to inactive Navy reservists.)