

MILPERSMAN 1820-020

NON-REGULAR RESERVE RETIREMENT WITHOUT PAY – QUALIFICATION, PROCEDURES, SUBMISSIONS, AND PROCESSING

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Reference (s)	(a) 10 U.S.C. (b) 5 U.S.C. (c) DoD Directive 1352.1 of 16 July 2005 (d) DoD Instruction 1200.15 of 13 March 2014 (e) DoD Instruction 1215.06 of 11 March 2014 (f) OPNAVINST 1820.1B (g) OPNAVINST 1300.19 (h) Public Law 109-364, John Warner National Defense Authorization Act for Fiscal Year 2007 (i) U.S. Navy Regulations, 1990
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1. **Policy**. Per the provisions of references (a) thru (g) and MILPERSMAN 1800-010, this article provides the eligibility requirements and procedures for submission of applications (exhibit 1) for non-Regular Reserve retirement without pay.

2. **Background**

a. The Navy's Retired Reserve consists of the following categories:

(1) Navy Reserve personnel who are eligible to draw retired pay, or are currently drawing retired pay for non-regular service under reference (a).

(2) Navy Reserve personnel who have not reached eligibility to draw non-regular retired pay, have received a notice of eligibility (NOE) letter, and have not applied for retired pay benefits, but have transferred to a retired list

after completing the required service for non-regular retired pay benefits under reference (a). These members are often referred to as "gray area retirees."

(3) Navy Reserve personnel who have retired under reference (a), chapters 1201, 1202, 1204 or 1205 due to a physical disability.

(4) Navy Reserve personnel who have retired after completion of 20 or more years of active military service or 15-20 years of active service when authorized under temporary early retirement authority.

(5) Navy Reserve personnel who have been transferred to Retired Reserve in lieu of a discharge, transfer, or retention in the Standby Reserve (inactive status, USNR-S2), and are not eligible for non-regular service retired pay benefits. These Navy Reserve members in the past have been referred to as "honorary retirees."

3. Qualifications

a. Unless otherwise provided by law, a Navy Reserve member must have completed 20 years of qualifying service to be eligible for non-regular service retired pay. The last 6 years of such qualifying service must be in a Reserve Component for members who have earned 20 or more years of qualifying service on, or before, 24 April 2005. There is no requirement that the last 6 years be continuous service. For members who complete 20 years of qualifying service on, or after, 25 April 2005, the last 6 years of qualifying service in a Reserve Component is not a requirement to qualify for non-regular retired pay.

b. The 20-year requirement has been reduced to 15 years for certain Selected Reserve (SELRES) members determined to be **not physically qualified (NPQ)/unfit**. To be eligible for this early retirement the member must

(1) meet all other requirements of law for retirement (see reference (a), chapter 1223);

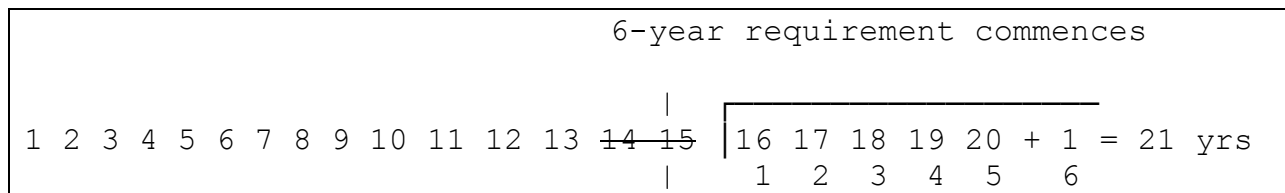
(2) be a member of the SELRES Component;

(3) be assigned physical risk classification (PRC) code PRC-5 by Navy Personnel Command (NAVPERSCOM), Line of Duty

(LOD)/Medical Hold (MEDHOLD)/Medical Retention Review (MRR) Division (PERS-95); and

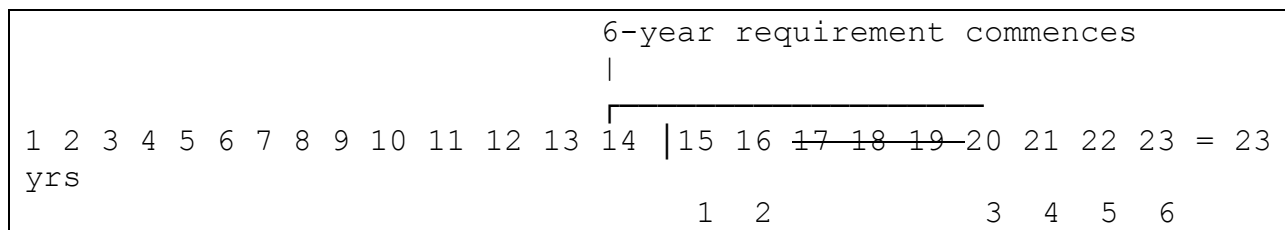
(4) be approved by NAVPERSCOM, Reserve Personnel Management Department (PERS-9).

c. For members who have completed 20 or more years of qualifying service before 25 April 2005 only, any period of service as a member of an Active Component intervening between periods of reserve service after the 14-year mark does not count towards the final 6-year Reserve Component requirement. Service in an Active Component during a partial year shall be treated in the same manner as 1 full year of service in this respect. For example to qualify for a non-Regular Reserve retirement, (20 qualifying years of service), members must have satisfactorily served a minimum of 6 years, commencing at the beginning of their 15th year through the date of retirement, in a Reserve Component. The 6-year requirement does not have to be consecutive as indicated below:



Note: In the above example, the member was serving in a Regular Component during years 14 and 15. As a result, the member must complete an additional qualifying year of reserve service to meet the last 6-year requirement.

d. The 6-year requirement does not have to be consecutive as indicated below; however, any Active Component time after year 14 does not count towards the final 6-year Reserve Component requirement:



Note: In the above example, the member was serving in an Active Component during years 17, 18, and 19. As a result, the member

must complete an additional 3 qualifying years of service to meet the last 6-year requirement.

4. **Effective Date of Retirement**

a. The effective date of retirement will be specified in the retirement orders issued by Chief of Naval Personnel (CHNAVPERS) or NAVPERSCOM.

b. The effective date of retirement for members of the Navy Reserve who are eligible for non-regular service early retired pay, and are being retired for other than physical reasons shall be the 1st day of the month.

c. The effective date of retirement for members of the Navy Reserve age 60, or over, who are eligible for non-regular service retired pay, and are being retired for reasons other than physical disability shall normally be the date the member is entitled to retired pay.

d. The effective date of retirement for members of the Navy Reserve who are retired due to physical disability will be the date the Secretary of the Navy (SECNAV) approves such retirement, or on any subsequent date specified by SECNAV.

e. The effective date of retirement for members of the Navy Reserve subject to mandatory removal from an active status, who are not eligible for non-regular service retired pay, but are approved for transfer to the Retired Reserve in lieu of discharge, transfer, or retention in USNR-S2 status, shall be the 1st day of the month.

5. **Retired Grade Determination**

a. Reserve enlisted personnel and officers are normally transferred to the Retired Reserve in the grade in which serving at the time of transfer. Exceptions are as listed below:

(1) Enlisted Personnel; and

(a) Enlisted personnel advanced to E-7, E-8, or E-9 in the Navy Reserve who voluntarily request retirement must satisfactorily serve 24 months in the grade in which they wish to be retired, or request retirement in their previously held grade. Per reference (f), time-in-rate requirements may be waived by Commander, Navy Personnel Command (COMNAVPERSCOM) during times of

force reductions. When waived, members may retire in the highest rate held and should check with NAVPERSCOM, Reserve Personnel Service Branch (PERS-912) for the current waiver policy at the time of their retirement. Enlisted members below the pay grade of E-7 will be retired in the highest pay grade satisfactorily held.

(b) Reserve enlisted members who, through no fault of their own, are unable to complete the service-in-grade requirements may request a waiver to retire at the higher pay grade from NAVPERSCOM, Reserve Personnel ADMIN Division (PERS-91).

(c) Reserve enlisted members subject to involuntary transfer from an active status (USNR-R and USNR-S1), approved for transfer to the Retired Reserve in lieu of discharge, transfer, or retention in the Standby Reserve (inactive status) (USNR-S2), will be permitted to retire in the highest pay grade satisfactorily served.

(2) Officers;

(a) Per reference (a), chapters 1370 and 12771, officers selected for promotion who have accepted promotion to the next higher grade, must meet the satisfactory time-in-grade requirements listed below, or request retirement in their previously held grade. Officers who have completed at least 6 months of satisfactory time-in-grade, and who are transferred from an active status solely due to a nondiscretionary provision of law requiring such a transfer (age, physical disability, or years of service statutory restrictions), may be transferred to the Retired Reserve at that grade.

Grade	Time-in-Grade Requirements for Discretionary Retirement
01 through 04	6 months
05 through 08	3 years

Note: Time-in-grade requirements for O-5 and O-6 may be reduced from 3 years to 2 years as provided in references (a), paragraph 1370(d) and reference (f). NAVPERSCOM (PERS-91) is approval authority for O-5 and O-6 time-in-grade waivers. O-7 and O-8 time-in-grade waivers require Under Secretary of Defense for Personnel and Readiness (USD P&R) approval.

(b) Reserve warrant officers will be retired in the grade held on the day before the effective date of their retirement, or in any higher warrant grade in which they served satisfactorily on active duty, as determined by SECNAV, for a period of more than 30 days.

(c) The time-in-grade requirements listed above must be served in an active status (USNR-R or USNR-S1). Frocking does not constitute acceptance of advancement or promotion. Per reference (f), any misconduct or professional dereliction which results in a court-martial or separation for cause shall also be taken into consideration in determining if the member's time-in-grade was satisfactory.

(d) Reserve members, upon assignment or transfer to the Retired Reserve, shall be transferred in their current grade (if held satisfactorily). Members who have satisfactorily held a higher rank or grade during their military career, regardless of branch of service, will be concurrently advanced to that higher rank or grade at the time they apply for and receive retired pay.

6. Retirement Due to Age and Transfer of Navy Reserve Officers to Retired Reserve

a. Effective 17 October 2006, per reference (a) section 14509 as modified by reference (h), all Navy Reserve officers in an active status (USNR-R or USNR-S1) or on the inactive status list (USNR-S2), in a rank below rear admiral (lower half) who have not been recommended for promotion to the rank of rear admiral (lower half) will be transferred to the Retired Reserve or discharged when they reach 62 years of age, unless retention has been specifically authorized by SECNAV. Therefore, all officers approaching their 62nd birthday must actively pursue one of the following options:

(1) Request transfer to the Retired Reserve effective no later than the 1st day of the month following their 62nd birthday.

(2) Be granted an extension, per reference (a), section 14703. The annual SECNAV Navy Reserve Officer Retention and Continuation Plan authorizes certain professional members' extension past age 62. NAVPERSCOM (PERS-91) will notify eligible members in advance and provide appropriate requests to be completed and returned.

(3) Request Discharge. This last option is required by law and must occur if the officer is not retirement eligible.

b. Failure to request one of these options will result in the officer being retired (if eligible) or discharged.

7. Voluntary Retirement and Transfer to the Retired Reserve for Members Not Eligible for Non-Regular Retired Pay - Honorary Retirees.

a. Historically, reservists who were not eligible for non-regular service retired pay, but who were subject to mandatory removal from the Ready Reserve or the Standby Reserve could apply and be transferred to the Retired Reserve in lieu of discharge, provided the characterization of service would qualify the member for an honorable discharge and the member met the requirements listed below. These members, referred to as "honorary retirees", are not entitled to any military retired pay benefits, nor are they authorized to retain a U.S. Armed Forces identification card. They became "honorary retirees" if they have met one of the following requirements:

(1) Completed at least 10 years of active commissioned service.

(2) Attained the age of 37 on the date of retirement and have either

(a) completed at least 8 years of service with a minimum of 50 retirement point credits earned per year after 1 July 1949;

(b) completed at least 8 years of service in a Reserve Component, including at least 6 months of honorable service on active duty in time of war or national emergency;

(c) consistently supported the Armed Forces in an outstanding manner as determined by SECNAV; or

(d) if they were found NPQ for active duty service, not as a result of their own misconduct.

b. Changes to references (d) and (e) suspended the Honorary Retiree Program after 18 September 1997. Members previously transferred to the Retired Reserve in an honorary status maintain their retired status. Per reference (f), reserve personnel who

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

8. Voluntary Retirement and Transfer to the Retired Reserve for Members Eligible for Non-Regular Service Retired Pay - Gray Area Retirees.

a. Reservists who are eligible for non-regular service retired pay may be retired and transferred to the Retired Reserve upon application, or as otherwise directed by NAVPERSCOM (PERS-91) provided

(1) the member was issued an NOE or has completed all the requirements necessary to qualify for an NOE for non-regular service retired pay.

(2) the member is not entitled under any other provision of law to retired pay from an armed force or retainer pay as a member of the Fleet Reserve or Fleet Marine Corps Reserve.

(3) there is not a stop-loss or other service restriction policy in effect.

b. Reservists eligible for non-regular service retired pay that have been approved for retirement and transfer to the Retired Reserve are entitled to unlimited military exchange and commissary privileges. Such reservists, often referred to as "gray area retirees," must apply later, shortly before they reach retirement pay eligibility, for retired pay benefits for non-regular service. NAVPERSCOM (PERS-912) will send out an application for retirement pay notice to eligible members approximately 6 months prior to their effective date of retirement with pay.

9. Submission of Application for Retirement and Transfer to the Retired Reserve

a. Applications for voluntary retirement and transfer to the Retired Reserve should be sent in time to reach NAVPERSCOM (PERS-912) between 3 and 6 months in advance of the requested retirement or transfer date (see exhibit 1). Applications should be submitted in the format found on the Navy Personnel Command Web site at www.npc.navy.mil under "Reserve Personnel

Management." Per reference (b), section 8301, the requested day of retirement must be the 1st day of the month in which retirement is desired. Members assigned to a SELRES unit or voluntary training unit (VTU)/Voluntary Participation Unit (VPU) must forward their applications via their unit commanding officer (CO)/officer in charge (OIC) and the CO of their unit's supporting Navy Reserve activity (NRA) for endorsement.

b. Obligated service through the requested date of retirement or transfer to the Retired Reserve is mandatory for enlisted personnel.

c. The unit CO/OIC and CO of the unit's supporting NRA shall verify that the members meet the eligibility requirements for retirement, provide counseling to members regarding impact to benefit programs (i.e., MGIB-SR, Post-9/11 GI Bill transferability, TRICARE Reserve Select, etc.), and recommend transfer to the Retired Reserve in their endorsement.

d. NAVPERSCOM may process enlisted Individual Ready Reserve (IRR) active status pool (ASP) members who are eligible for retired pay in lieu of an Honorable Discharge, without the member's request, at the expiration of the member's obligated service.

e. Procedures for transferring members to the Retired Reserve:

(1) NRAs will cancel a member's existing orders to a drilling unit effective no later than the day immediately preceding the requested retirement day. Even if a member's retirement orders have not been received prior to the requested retirement date, the NRA will cancel the unit orders, as specified above, and make the appropriate NSIPS entry to reflect the member's status change. Members may not be retained in a drilling unit, pay or non-pay, or earn retirement points beyond the day immediately preceding the requested retirement date.

(2) NAVPERSCOM will send retirement orders directly to the member and a copy to the NRA (if warranted). Retirement orders are normally issued 1 to 3 months in advance of the scheduled retirement date.

10. **Obligations**

a. **Recall.** Per references (c) and (g), retired reservists are liable for involuntary recall to active duty in time of war or national emergency declared by Congress, or when otherwise authorized by law. Members may also be recalled to active duty in a retired status, subject to their consent, as authorized by SECNAV. Recall, in such cases, is normally authorized when skills cannot be found in the Active Component or Reserve Component inventory.

b. **Mailing Address.** Retired reservists must keep NAVPERSCOM (PERS-912) advised of their current mailing address and any temporary or permanent address changes.

NAVPERSCOM (PERS-912) Phone Number: 1-866-827-5672.

c. **Travel and Residence Overseas.** Permission to leave the U.S. is not required. Retired Navy reservists who plan to travel or reside in any country not within the jurisdiction of an area commander should, upon arrival in and departure from each country (except for brief tours), notify their presence to the nearest U.S. naval attaché, as a matter of courtesy, by personal visit or letter. In the absence of a naval attaché, notify the U.S. military or air attaché or the civilian representative of the American embassy or consulate.

d. **Employment Restrictions.** Reservists not on active duty may accept employment in any civil branch of the public service of the U.S., or may be employed in civilian professions or occupations including the practice of such professions or occupations before or in connection with any Department of the Federal Government of the United States; however, civil employment and compensation with any foreign government, or any concern controlled in whole, or in part, by a group of governments (including the U.S.) is subject to the approval of SECNAV and the Secretary of State.

11. **Privileges for Members of the Retired Reserve Without Pay, but Eligible for Non-Regular Service Retired Pay - Gray Area Retirees.**

a. **Identification Card.** Retired reservists (without pay) are entitled to a DD 2S(RESRET) United States Uniformed Services

Identification Card (Reserve Retired) (RED) which may be obtained by providing a copy of retirement orders to any card-issuing activity.

b. **Wearing of the Uniform.** Per reference (i), retired personnel not on active duty will be entitled to wear the prescribed uniform of the rank or rating in which retired when the wearing of the uniform is considered to be appropriate. In general, the uniform may be worn for ceremonies or at official functions when the dignity of the occasion and good taste indicates the propriety of the uniform. Specifically, the uniform may be worn at memorial services, military weddings, funerals, balls, patriotic parades on national holidays, or other military parades or ceremonies when active or reserve U.S. military units are taking part, and at meetings or functions of veterans' associations formed for military purposes. Retired personnel, not on active duty, residing or visiting in a foreign country may not wear the uniform, except when attending by formal invitation, ceremonies, or social functions at which the uniform is required by invitation, regulations, or customs of the country. Authority to wear the uniform upon the above occasions includes periods while traveling to and from the ceremony, provided such travel in uniform can be completed on the day of the ceremony.

c. **Use of Military Title.** Retired personnel may use their military titles subject to certain restrictions and the exercise of good judgment. Considerable discretion should be shown by members in permitting the use of their name and military title to endorse any commercial enterprise which might in any way be perceived as indicating that the Department of the Navy approves of the enterprise and especially to avoid an endorsement or contract which would bring discredit upon the Navy. All reserve members transferred to the Retired Reserve are eligible to use "United States Navy - Retired" in their title.

d. **Additional Benefits**

(1) **Veterans Group Life Insurance (VGLI).** Available to retired members who were previously eligible to receive Servicemembers' Group Life Insurance (SGLI) coverage;

(2) Use of Navy Exchange (NEX) and Morale Warfare and Recreation (MWR) facilities;

(3) Use of commissary;

- (4) Space available transportation;
- (5) Survivor benefits (if elected); and
- (6) TRICARE Retired Reserve (TRR). Eligible to qualified non-regular retirement eligible members who have not reached age 60.

Note: Members of the Retired Reserve must not be eligible for, or enrolled in, the Federal Employee Health Benefits Program.

12. Privileges for Individuals Discharged From the Navy Reserve, But Eligible for Non-Regular Retired Pay - Former Member.

Individuals who have been discharged from the Navy Reserve but are eligible for non-regular retired pay, per reference (a), section 12731, are referred to as "former members." These individuals are eligible for commissary, NEX, and MWR benefits under reference (a), chapter 54. Specifically, former members and their family members are entitled to the DD 1173 Uniformed Services Identification and Privilege Card. This card grants unlimited NEX, MWR, and commissary privileges.

13. Additional Information

a. Upon retirement, the last digit of a reserve officer's designator is changed to a "9."

b. Longevity for pay purposes continues to accrue while in the Retired Reserve, but stops when the member begins receiving retired pay.

c. Upon written request from the member and approval from the unit CO, a retirement ceremony may be provided upon transfer to the Retired Reserve. The ceremony should be designed to express the Navy's appreciation for the many years of faithful and honorable Service members devoted to their country. Additional guidance may be obtained from MILPERSMAN 1800-010.

14. Presentation of the United States Flag

a. Upon transfer to the Retired Reserve, reservists shall be presented a United States flag. A reservist is not eligible for a flag if the reservist has previously been presented a flag under any provision of law providing for the presentation of a United States flag, incident to release from active service for retirement. The supporting NRA is responsible for procurement of

the flag to SELRES and VTU/VPU members. NAVPERSCOM (PERS-912) is responsible for procurement and delivery to all other members.

Exhibit 1

Request to Transfer to the Retired Reserve

(Use proper letter format containing the following)

(Date)

From: [Rating/rank, full name, designator]
To: Commander, Navy Personnel Command (PERS-912)
Via: (1) Commanding Officer, Navy Reserve Unit
(2) Commanding Officer, Navy Reserve Activity

Subj: REQUEST TO TRANSFER TO THE RETIRED RESERVE

Ref: (a) MILPERSMAN 1820-020

1. Per reference (a), I request transfer to the Retired Reserve.

2. The following information is provided:

- a. [Current mailing address, including zip code].
- b. [Current telephone numbers].
- c. [E-mail address].
- d. [Desired transfer date].
- e. [Date of birth].
- f. [Date of expiration of enlistment or valid extension (enlisted only)].
- g. [Ceremony date requested].
- h. [Reason transfer is requested].

(Member's Signature)