

MILPERSMAN 1820-040

NOTIFICATION OF ELIGIBILITY FOR NON-REGULAR RESERVE RETIRED PAY

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Reference (s)	(a) 10 U.S.C., Chapter 1223 (b) DoD Instruction 1200.15 13 March 2013 (c) DoD Instruction 1215.07 of 24 January 2013 (d) OPNAVINST 1820.1B
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1. **Policy**. This article summarizes the eligibility requirements and responsibility for issuance of the Reserve Component (RC) Notification of Eligibility (NOE) letter.

2. **Background**. Per references (a) through (d), Navy Personnel Command (NAVPERSCOM), Reserve Retirements Branch (PERS-912) will issue an NOE for non-regular (Reserve) retired pay to each Navy Reserve member who is not on extended active duty such as mobilization, active duty for special work (ADSW), or temporary/definite recall, and who has met all of the qualifications for non-regular (Reserve) retired pay.

3. **Qualifications**

a. Navy Reserve members must have completed at least 20 years of qualifying service computed under reference (a), §12732, or 15 years of qualifying service, if approved for early medical retirement, or meets the requirements of any other authorized early retirement program.

b. For members who earned 20 years or more qualifying service earned before 24 April 2005, the last 6 years of such qualifying service must have been in a RC. There is no requirement that the last 6 years be continuous service. There is no minimum RC service requirement for members with 20 years or more of qualifying service earned on or after 25 April 2005.

c. A member serving in a RC of any of the Armed Forces before 16 August 1945, must have performed active duty service (other than for training) during World War I or World War II, or during a subsequent period of conflict as stated in reference (a), §12731.

4. **Issuance of the NOE**

a. The NOE for non-regular (Reserve) retired pay will be issued by NAVPERSCOM (PERS-912) within 1 year of the member meeting all non-regular service requirements. NAVPERSCOM (PERS-912) normally issues the NOE for Reserve retired pay approximately 3 months after the close of the anniversary year in which the member completes the conditions necessary to qualify for retired pay benefits. Members on extended active duty orders or on the active duty list will not be issued an NOE until they have been released from active duty or returned to an RC status (as applicable).

b. Per references (b) and (d), after a member has been granted retired pay for non-regular service or has received an NOE for non-regular (Reserve) retired pay (issued by NAVPERSCOM (PERS-912)), the member's eligibility may not be denied or revoked on the basis of any administrative error, miscalculation, or misinformation, unless it resulted from fraud or misrepresentation by the member. NAVPERSCOM (PERS-912) will make corrections to accurately reflect points earned. When such a correction is required, the member is entitled to retired pay based on the corrected amount of creditable service.

c. Information concerning the RC Survivor Benefit Plan (RC-SBP), the elections available, the effects of such elections, and an enrollment application will be included with the NOE for non-regular (Reserve) retired pay.