

MILPERSMAN 1916-010

RELEASE FROM ACTIVE DUTY OF RESERVE AND RETIRED ENLISTED PERSONNEL

Responsible Office	NAVPERSCOM (PERS-913)	Phone: Toll Free	(901) 874-4368
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Reference	(a) 10 U.S.C.
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1. Policy

a. During war or national emergency, enlisted Navy Reserve (including Fleet Reserve) and retired enlisted Service members serving on active duty will be released from active duty in line with instructions issued by the Secretary of the Navy (SECNAV) or Commander, Navy Personnel Command (COMNAVPERSCOM).

b. During peacetime:

(1) Enlisted Service members will be released from active duty on their date of transfer to the Fleet Reserve.

(2) Retired enlisted Service members will be released on their date of retirement, unless otherwise directed by COMNAVPERSCOM.

(3) Except as provided in this article, a member of the Navy Reserve may be released from active duty at any time by COMNAVPERSCOM.

(4) Unless in a disciplinary status, Service members are not to be retained on active duty without their consent beyond the periods required or authorized by law, or by agreements executed by themselves and approved by competent authority.

(5) Per reference (a), section 12686, a member of the Navy Reserve who is on active duty (other than for training) and is within 2 years of becoming eligible for retired or retainer

pay, under a purely military retirement system, may not be involuntarily released from that duty until eligible for that pay, unless a release is approved by SECNAV.

2. Training and Administration of the Reserve (TAR) Personnel of the Navy Reserve Program

a. During peacetime, Navy reservists on active duty in the TAR Program, except as otherwise indicated here, may not be retained on active duty beyond high year tenure (HYT) without prior approval of the Bureau of Naval Personnel (BUPERS) Reserve Enlisted Community Management Branch (BUPERS-352). Refer to [MILPERSMAN 1160-120](#) for the current HYT policy.

b. As deviations from planned losses and releases of TAR Service members from active service affect Reserve Component strength and budget, the Office of the Chief of Naval Operations (OPNAV) Chief of Navy Reserve (OPNAV N095) is the approval authority for exceptions to this policy.

c. To preclude release to inactive duty without eligibility for retainer or retired pay benefits, Service members must submit their requests for transfer to the Fleet Reserve or Retired List no more than 12 months in advance of the desired dates.

d. TAR Service members who do not have an approved HYT waiver from BUPERS-352 must submit a requests for transfer to the Fleet Reserve or for retirement via the Navy Standard Integrated Personnel System (NSIPS) based on their estimated date of loss to the Navy per [MILPERSMAN 1830-040](#).

e. Navy Reserve personnel on active duty in the TAR Program who accept advancement to pay grades E-7 and E-8 will be required to complete active obligated service incurred through advancement without regard to the retention limitations noted above.

3. Retirement Provisions

a. Navy reservists who qualify for retirement with pay under reference (a), section 12731, and have reached the age of 60, by the consent of the Service member and by order of SECNAV, may be retained on active duty or in service in a Reserve

Component. A Service member is entitled to receive retirement credit for all service completed per reference (a), section 12308.

b. COMNAVPERSCOM may supplement the Regular force with qualified reservists as needed to meet authorized strength in each grade and competitive category; however, no reservist, including active duty, active status, or retired reservists will be recalled to, or retained on, active duty solely for the purpose of increasing retired pay; or as a reward for long, distinguished service; or for a period extending beyond their 60th birthday.

c. A waiver for the age-60 restriction may be authorized by NAVPERSCOM Reserve Enlisted Administration Branch (PERS-913) for a volunteer who:

(1) Is medically qualified for active duty, and

(2) Has a special qualification or skill for which a military requirement exists which cannot be met by a Regular or Reserve member under the age of 60.

d. When service under these strict limitations is rendered after eligibility for retired pay has been achieved, such service will be credited to the member for retirement purposes.