

## MILPERSMAN 1910-102

### SEPARATION BY REASON OF CHANGES IN SERVICE OBLIGATION (ACTIVE DUTY AND INACTIVE NAVY RESERVISTS)

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<b>References</b>	(a) BUPERSINST 1001.39F (b) 10 U.S.C. §651
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#### 1. Policy

a. Commander, Navy Personnel Command (COMNAVPERSCOM) may authorize or direct separation of enlisted personnel prior to their expiration of active obligated service (EAOS) due to the following reasons:

(1) A reduction in authorized strength, and or

(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 Military Services.

b. Commanding officers (COs) are authorized to separate or transfer enlisted personnel for separation within 90 days of their EAOS in the following situations:

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

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

(3) A Service member is in a temporary duty 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 does not desire to reenlist. The CO of the medical activity or the member's parent CO is authorized to separate or transfer the member for separation,

(4) A Service member was received from an overseas activity and is awaiting separation at a separation activity (see [MILPERSMAN 1910-812](#)) by reason of EAOS and member has not indicated a desire to reenlist, or

(5) A unit is deactivating and a Service member's separation date is during the month of deactivation.

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

3. **Characterization of Separation.** Using notification procedures referenced in [MILPERSMAN 1910-402](#), the least favorable characterization of service is general. If Service member is in entry-level status, the description of service may be entry-level separation. This does not apply to inactive Navy reservists.

4. **Service Members Transferred to Another Activity.** If a Service 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 the member should be discharged at a later date.

**Note:** 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 his or her EAOS, when the EAOS expires on a Saturday, Sunday, holiday, or a day preceding a national holiday,

(2) Up to 90 days prior to EAOS upon completion of a deployment, when the member extended his or her enlistment for the express purpose of participating in or completing the deployment,

(3) Up to 31 days prior to the EAOS, when assigned to a ship or unit that returns from an extended deployment of 6 months or more, or

(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 Service member who:

(1) In the judgment of the CO, cannot be spared,

(2) Does not desire early separation,

(3) Is a reservist undergoing active duty for training,

(4) Has an EAOS that will occur during the period listed in subparagraphs 3a(1) through (4) above as a result of any other early release program,

(5) Is scheduled for transfer to the fleet reserve or retirement,

(6) Is returning from a permanent overseas duty station and does not desire early separation, or

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

5. **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 onboard-crew members who are within 90 days of their 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 the force commander's guidance.

6. **Criteria for Reduction in Authorized Strength.**

COMNAVPERSCOM may approve a Service member's voluntary separation request when all of the following criteria are met:

- a. The Service member's CO has approved and forwarded an endorsement,
- b. The Navy is in an authorized period of end-strength reduction or the detailee and enlisted community manager support separating in the best interest of the Navy,
- c. Member is within 1 year of his or her EAOS, or as allowed by an authorized early out program,
- d. Member is not serving in a rating, Navy enlisted classification (NEC) code, occupational field, or military occupational specialty in which COMNAVPERSCOM determines to be undermanned,
- e. A contact relief is not required and the command is willing to gap the billet, and
- f. Early separation will not affect the command's mission.

7. **Commission in Another Branch of Service**

a. Service members interested in obtaining a commission or an inter-Service transfer for enlistment into another branch of Service must **first** request a conditional release, via their CO, using [NAVPERS 1306/7](#) Electronic Personnel Action Request. Upon CO's approval, forward [NAVPERS 1306/7](#) to Navy Personnel Command (NAVPERSCOM) Enlisted Performance and Separations Branch (PERS-832). If approved, member may then apply for a commissioning program.

**Note:** COs are not the approval authority for conditional releases. Only PERS-832 or the Chief of Naval Personnel (CHNAVPERNS) may approve conditional releases. In addition, Service members must not apply for a commission or inter-Service transfer in another branch of Service without the aforementioned authority's approval.

b. Generally, the following cases will not be approved:

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

(2) Members in critical ratings or with critically undermanned skills or NECs, or

(3) When higher authority, such as the CHNAVPERS has restricted early release from active duty. In those cases, only CHNAVPERS may authorize approval of a conditional release prior to a member's EAOS.

c. Upon official notification of selection for appointment or commission in another branch of the Military Services, Service members must request separation, via their CO, from NAVPERSCOM (PERS-832), using [NAVPERS 1306/7](#) and including 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.

## 8. Selected Reserve Personnel

a. Reserve members may request a conditional release from the Navy Reserve via [DD 368](#) Request for Conditional Release. All [DD 368s](#) must be submitted via the Navy Reserve activity CO to NAVPERSCOM Reserve Enlisted Status Branch (PERS-913) for final determination. Requests from members who fall into the following categories will be adjudicated per reference (a):

(1) Members who have been accepted for enlistment in a Reserve Component of another branch of the Military Services for the purpose of enrolling in officer training programs,

(2) Members desiring a transfer to enroll in an officer candidate program, including college-level Reserve Officer Training Corps, and who are accepted by the prospective gaining component,

(3) Members who have not received an enlistment or reenlistment bonus for current term of enlistment,

(4) Members who have been accepted for appointment to commissioned status in the Active or Reserve Component of any branch of the Military Services,

(5) Members who have been accepted for enlistment in the Active Component of any branch of the Military Services, or

(6) Reserve members who have been accepted for enlistment into the Active Component of the Navy.

b. Generally, requests from new accession training personnel in an inactive status with fewer than 24 months of mandatory service as drilling reservists will not be approved.

c. Once permission is granted, an inter-Service transfer will be accomplished by discharge from the 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 inter-Service 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](#) 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 must ensure proper Navy Standard Integrated Personnel System (NSIPS) loss entries are entered without delay.

9. **Who is Not Eligible for Voluntary Separation.** Service members:

a. serving in ratings, specialty fields, occupational fields, or military occupational specialties that COMNAVPERSCOM determines to be critically undermanned.

b. with OBLISERV required for schooling or training.

c. who have an **outstanding** OBLISERV date due to transferability of Post 9/11 GI Bill benefits.

(1) whose dependents have not already used Post 9/11 GI Bill benefits, may revoke transferability of benefits and resubmit their request for separation with proof of revocation.

(2) whose dependents have already used Post 9/11 GI Bill benefits transferred from them, are not eligible for voluntary separation.

**Note: Service members who have transferred Post 9/11 GI Bill benefits and who have satisfied OBLISERV requirements are exempt from this restriction and may submit request for voluntary separation under this article.**