

MILPERSMAN 1830-040

TRANSFER TO FLEET RESERVE AND RELEASE FROM ACTIVE DUTY

Responsible Office	NAVPERSCOM (PERS-823)	Phone:	DSN	882-3247
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Governing Directives	10 U.S.C. 6330 SECNAVINST 1811.3M SECNAVINST 1850.4D NAVPERS 15665I, U.S. Navy Uniform Regulations
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1. **Policy.** An enlisted member who has completed 20 years of active service may, at his or her request, be transferred to the Fleet Reserve (10 U.S.C. 6330). Once submitted, a member's date may be changed only upon member's authorization or due to national security.

2. **Creditable Service**

a. Active service is defined as all active duty and active duty for training performed subsequent to 9 August 1956 in the Army, Navy, Air Force, Marine Corps, Coast Guard, or any Reserve component thereof, and all active duty and active duty for training performed subsequent to 9 August 1956 in the Army National Guard or Air National Guard on federal duty.

b. An enlistment terminated prior to 1 January 1978 within 3 months of the normal expiration of the enlistment or extended enlistment will be credited as the full term of enlistment or extended enlistment. (Constructive service is earned only if enlistment term is served in an active duty status.)

3. **Eligibility Requirements.** Approval of a request for transfer to the Fleet Reserve will normally be withheld until the member has completed

a. 20 years of active service by requested date of transfer to the Fleet Reserve.

b. current assignment.

- c. minimum activity tour.
- d. current Department of Defense assignment area tour.
- e. 24 months time in grade for paygrades E-7 and above (may be waived up to 12 months) (SECNAVINST 1811.3M).
- f. Applicable tour at ultimate duty station when request is received by Navy Personnel Command (NAVPERSCOM) following the date of issuance or notification of PCS orders.

(1) If member is notified of PCS orders more than 6 months prior to projected rotation date (PRD), member may decline the assignment and request transfer to the Fleet Reserve any time up to and including the normal PRD.

(2) If member has not been notified of impending orders, a member may request transfer to the Fleet Reserve no later than the PRD.

g. The initial 20-year eligibility requirement for transfer to the Fleet Reserve within 6 months beyond the normal PRD and requests a Fleet Reserve date to coincide with the date of eligibility, a maximum 6 months over tour beyond present PRD may be authorized. The request for over tour in conjunction with transfer to the Fleet Reserve must be received by NAVPERSCOM (PERS-823) 6 to 18 months prior to the established PRD.

4. Members Not Eligible for Fleet Reserve Transfer

a. Members are not eligible for transfer to Fleet Reserve while

- (1) awaiting disciplinary action,
- (2) serving sentence of a court-martial (including time on probation),
- (3) awaiting civil action,
- (4) awaiting family advocacy action,
- (5) awaiting administrative discharge action, or
- (6) serving in a limited duty (LIMDU) status (unless authorized LIMDU status to complete 20 years of active service).

b. Requests received from members in above categories will be disapproved. Approved Fleet Reserve transfer requests for members who are subsequently placed in one of the above categories will be held pending resolution. Once status is resolved, the command shall notify, by message, Commander, NAVPERSCOM (PERS-823) of action taken.

5. **Deferment or Cancellation of Transfer to the Fleet Reserve for Member in Medical Status**. The following is applicable for members in a medical status:

a. Member undergoing non-elective medical treatment not involving Physical Evaluation Board (PEB) proceedings, or appearance before a medical board requiring departmental action, may be retained up to 60 days with authorization from NAVPERSCOM (PERS-823). If it appears that the member will require prolonged treatment which could defer transfer to the Fleet reserve more than 60 days beyond the authorized date, the commanding officer (CO) shall make a specific report of the circumstances to NAVPERSCOM (PERS-823). When treatment is completed, advise NAVPERSCOM (PERS-823) as soon as practical.

b. Member who requests or is involved in PEB proceedings or appearance before a medical board requiring departmental action shall not be transferred to the Fleet Reserve until final action is completed and instructions are received from NAVPERSCOM (PERS-821). Normally, a member found unfit will be retained until member qualifies for disability retirement subject to the conditions set forth in SECNAVINST 1850.4D. The law requires that member completes at least 20 years of service to be eligible for retirement benefits by reason of physical disability when the disability is ratable at less than 30 percent by the Veterans Administration Schedule for Rating Disabilities. If the member is found fit, advise NAVPERSCOM (PERS-823) by message. If LIMDU is authorized, the transfer to the Fleet Reserve shall be held in abeyance pending final determination of member's medical status. Advise NAVPERSCOM (PERS-821/823) for details and estimated reevaluation date. In each instance, a new authorization for an effective date not more than 30 days after the finding of fit for duty will be issued by NAVPERSCOM (PERS-823). If the member waives disability benefits, notify by message NAVPERSCOM (PERS-823), with information copy to President, Central Physical Evaluation Board of the waiver.

c. Member who continues to perform duties of his or her office, rank, grade, or rating until commencing processing for nondisability retirement shall be presumed "Fit for Duty" unless it can be overcome by a preponderance of evidence that member, in fact, was physically unable to perform duties of his or her office, rank, grade, or rating. The PEB will make the determination. (See SECNAVINST 1850.4D, article 3305.)

d. Member who has reached high year tenure, and for whom transfer to Fleet Reserve is mandatory, may only be deferred if member is hospitalized or a medical board report has been accepted by President, PEB for processing under SECNAVINST 1850.4D, article 3710.

6. Deferment or Cancellation of Transfer to Fleet Reserve for Member Pending Disciplinary or Administrative Action. The following is applicable for members pending disciplinary or administrative action:

a. Member awaiting disciplinary action, serving sentence of a court-martial (including time on probation), awaiting civil action, awaiting action on an administrative discharge, or undergoing checkage of pay on authorized date of transfer, action on the Fleet Reserve transfer will be withheld and NAVPERSCOM (PERS-823) shall be advised by message of the circumstances. Under unusual circumstances, Chief of Naval Personnel may direct transfer notwithstanding pending action.

b. Once member's case has been resolved, notify NAVPERSCOM (PERS-823) by message. A new Fleet Reserve transfer authorization will be issued if date of original Fleet Reserve authorization has expired.

7. Deferment or Cancellation of Transfer to Fleet Reserve for Member on Case-by-Case Basis

a. Due to the many administrative and planning actions involved on behalf of member and command, a request for deferral or cancellation of a Fleet Reserve Transfer Authorization will be granted on a selective basis only. A number of factors including command recommendation, past performance, manning levels, availability of relief, and critical skills possessed by member will be considered.

b. Approval is contingent upon member agreeing to remain on active duty for a sufficient time to permit reassignment or

completion of a normal tour, whichever is applicable. In certain instances, such as those where manning or other requirements are not stabilized, deferral of an authorized Fleet Reserve date, rather than a cancellation, may be appropriate.

c. Short-term deferrals (1 to 6 months) may be authorized by NAVPERSCOM (PERS-823) if member is serving in an authorized billet and a relief is not on board. Commanding officers may defer transfer to Fleet Reserve up to 30 days beyond date authorized only when urgent operational commitments demand member's service. When requests for deferment are submitted for this reason, a full report of circumstances shall be forwarded by message to NAVPERSCOM (PERS-821), with an information copy to the appropriate type commander.

d. In some instances, where rate manning or other requirements are not stabilized and action must be taken to provide a qualified relief at the proper time, NAVPERSCOM (PERS-823) may offer an alternate date for transfer. In these cases, member may accept the alternate date or request cancellation of the original date.

8. **Request Submission**. The following are guidelines for submission of a member's request for transfer to Fleet Reserve:

a. Member should submit request **6 to 18 months prior** to requested Fleet Reserve transfer date.

b. Member submits NAVPERS 1336/3, Special Request/Authorization, via the chain of command.

c. Upon CO's approval, forward the member's request to the Command Career Counselor for appropriate action.

d. Forward request to the appropriate personnel office. The personnel office will ensure request is submitted to NAVPERSCOM (PERS-823), following the Diary Message Reporting System User's Manual (DMRSMAN) or the Source Data Systems Program Manual (SDSPROMAN) instruction.

9. **Responsibility of NAVPERSCOM (PERS-823)**

a. Once the request for transfer to the Fleet Reserve has been approved by detailer, rating assignment officer, and enlisted community manager, NAVPERSCOM (PERS-823) will transmit

a message of intent authorizing movement of dependents and/or shipment of household goods.

b. Upon issuing the message of intent and within 2 weeks, NAVPERSCOM (PERS-823) will mail package containing the Certificate of Appreciation and other retirement information.

c. Navy Personnel Command (PERS-823) will issue the authorization as soon as possible, but no later than 120 days prior to the Fleet Reserve transfer date. Under no circumstances should member be released from active duty without the final transfer authorization.

10. **Responsibility of the Personnel Support Office or the Administrative Office**

a. Personnel Support or administrative offices must receive a copy of the Fleet Reserve authorization at least 120 days prior to requested date.

b. Upon receipt of authorization, forward a copy to member, career counselor, and other interested individuals at the command.

c. Prepare release from active duty orders and DD 214, Certificate of Release or Discharge from Active Duty and forward, with transfer authorization, to appropriate disbursing office.

d. Close member's service record and forward to

Naval Reserve Personnel Center (NAVRESPERS-CEN)
New Orleans, LA 70149

ensuring a copy of member's Fleet Reserve transfer authorization is filed in closed-out service record.

11. **Responsibilities of Disbursing Office**

a. Prepare second endorsement on Fleet Reserve transfer authorization message.

b. Complete disbursing data entries on DD 214.

12. **Responsibilities of Fleet Reservists**

a. Fleet Reservists are required to comply with the following:

(1) Maintain readiness for active service in event of war or national emergency.

(2) Keep CO, NAVRESPERSCEN, New Orleans, LA informed of home address.

(3) Inform CO, NAVRESPERSCEN, New Orleans, LA of travel or residency outside United States for a period in excess of 30 days.

(4) Promptly respond to all letters addressed to them by proper authority.

(5) Inform CO, NAVRESPERSCEN, New Orleans, LA of any change in health that might prevent service in time of war.

b. Fleet Reservists are subject at all times to laws, regulations, and orders governing Armed Forces. In time of peace, Fleet Reservists may be required to perform not more than 2 months of active service in each 4-year period. They may wear their uniform from place of release to home within 3 months after date of release, and subsequently on occasions of ceremony as prescribed in NAVPERS 15665I.