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MARINE CORPS ORDER 1900.16

From: Commandant of the Marine Corps  
To: Distribution List

Subj: SEPARATION AND RETIREMENT MANUAL (SHORT TITLE: MARCORSEPMAN)

Ref:

- (a) Title 10, U.S.C.
- (b) MCO P1400.31C W/CH 1
- (c) Manual for Courts Martial (MCM)
- (d) MCO 5300.17
- (e) MCO 1001R.1K
- (f) DoD 7000.14-R
- (g) Federal Register Vol 73, No 128, pp 38030-69
- (h) MCO P1610.7F W/CH 1-2
- (i) MCO P1070.12K W/CH 1
- (j) SECNAVINST 5300.28E
- (k) MCO 7220.24N
- (l) SECNAVINST 5820.4G
- (m) MCO 1741.11D
- (n) MCTIMS (Online)
- (o) Title 38, U.S.C.
- (p) NAVMED P-117
- (q) SECNAVINST 1770.3D
- (r) JAGINST 5800.7F
- (s) SECNAVINST 5815.3J
- (t) SECNAVINST 1920.6C W/CH 4
- (u) Joint Federal Travel Regulations (JFTR)
- (v) MCO 1050.3J
- (w) OnLine MCTFS Codes Manual
- (x) Title 5, U.S.C.
- (y) DoDI 1327.06
- (z) MCO P5060.20 W/CH 1
- (aa) National Defense Authorization Act of 1999
- (ab) National Defense Authorization Act of 2000
- (ac) MCO 1130.80A
- (ad) MCO 1001.39K
- (ae) MCO 1040.31
- (af) MCO P10120.28G
- (ag) MCO P1020.34G W/CH 1-5
- (ah) DFAS APSM (Online)
- (ai) DoDI 1332.29

(aj) MCO P1300.8R W/CH 1-8  
(ak) Title 8, U.S.C.  
(al) SECNAVINST M-5210.1  
(am) SECNAVINST 5510.30B  
(an) DoDI 1332.14  
(ao) Title 14, U.S.C.  
(ap) SECNAVINST 1920.7B  
(aq) DoDD 1332.35  
(ar) DoDI 1332.36  
(as) SECNAVINST 1412.9B  
(at) DoDI 1205.05  
(au) DoDI 1200.15  
(av) DoDI 1215.07  
(aw) MCTFSPRIUM (Online)  
(ax) DoDI 1310.02  
(ay) MCO 1001.45J  
(az) SECNAVINST 1000.7F  
(ba) SECNAVINST 1850.4E  
(bb) SECNAVINST 6320.24A  
(bc) DoDI 6490.04  
(bd) SECNAVINST 5300.30E  
(be) MCO P1400.32D W/CH 1&2  
(bf) MCO P1100.72C W/ ERRATUM  
(bg) MCO 1752.5B  
(bh) MCO 1000.9A  
(bi) DoDI 1332.30  
(bj) DoDI 1215.13  
(bk) DoDI 6495.02  
(bl) MCO 1306.17F  
(bm) MCO 1000.6  
(bn) MCO 1740.13C  
(bo) MCO 5000.12E  
(bp) MCO 1306.16F  
(bq) DoDI 1315.15  
(br) MCO 1770.2A W/CH 1  
(bs) DoDI 1332.42  
(bt) MCO 6110.3 W/ CH 1  
(bu) MCO P5800.16A W/CH 1-6  
(bv) MCO 1040R.35  
(bw) DoDI 6040.44  
(bx) MCO 6320.2E  
(by) MCO 1754.11  
(bz) MCO 3000.13

Encl: (1) LOCATOR SHEET

1. Situation. Changes in federal law (i.e., the repeal of Don't Ask, Don't Tell), Department of Defense and Department of the Navy regulations (i.e., administrative separations, the creation of the Integrated Disability Evaluation System) and other Marine Corps policy changes necessitated a revision of the Separation and Retirement Manual.

2. Cancellation. MCO P1900.16F W/ CH 1-2.

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3. Mission. To notify all on the distribution list of the revision to this Order and to update regulations and policies on separations and retirements.

4. Execution. There have been substantial changes to this revision as indicated throughout the order by asterisks by those paragraphs.

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. This Order is a revision to MCO 1900.16F Ch 2 and provides guidance on the administrative separation and retirement of Marines.

(2) Concept of Operations. This order provides the necessary direction to ensure that all Marines are separated or retired from the Marine Corps in accordance with law, regulation and uniform Marine Corps policy.

b. Subordinate Elements Missions. This revision shall be reviewed and applied by all commands in the separation or retirement of Marines.

5. Administration and Logistics

a. Distribution Statement A directives issued by CMC are published electronically and can be accessed online via the Marine Corps homepage at <http://www.usmc.mil> and MCEPL CD-ROM.

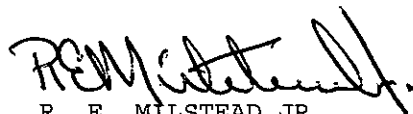
b. Access to an online medium will suffice for directives that can be obtained from the Internet, CD-ROM, or other sources.

c. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per reference (al), to ensure proper maintenance, use, accessibility and preservation, regardless of format of medium.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.



R. E. MILSTEAD JR  
Deputy Commandant for  
Manpower and Reserve Affairs

DISTRIBUTION: 10202730000

LOCATOR SHEET

Subj: Marine Corps Separation and Retirement Manual (Short Title:  
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CHAPTER 1

GENERAL INSTRUCTIONS ON SEPARATIONS

1001. GENERAL

1. This Order provides procedures for separating Marines:

a. Upon fulfillment of service obligation/requirement by reason of expiration of active service (EAS), expiration of obligated service (EOS), resignation, and transfer to the Retired List, Fleet Marine Corps Reserve (FMCR), or Retired Reserve; or

b. Before completion of service obligation by reason of administrative separation, both voluntary and involuntary; disciplinary action, disability; failure of selection for promotion; and resignation for cause in the case of certain officers.

2. This chapter provides definitions, information, rules of interpretation, and prescribes procedures and policies applicable throughout this Manual, and where applicable to more than one chapter, unless otherwise noted.

3. For the purposes of this Manual, the term "separation" will include retirement and transfer to the FMCR and the term "retirement" will include transfer to the FMCR, except when otherwise specified.

1002. DEFINITIONS

\*1. Active Commissioned Service. Service on active duty as a commissioned officer in the grade of Chief Warrant Officer 2 or above.

2. Active Duty. Full-time duty in the active military service of the United States to include full-time training duty, annual training, and active duty for training.

3. Active Duty for Training. Active duty for Reserve training with automatic reversion to inactive duty upon completion.

4. Active Duty List. Lists required to be maintained by the Secretary of the Navy of active duty officers per reference (a) Title 10, U.S.C. other than those excepted by section 641. Reference (a) Title 10, section 574 discusses warrant officers and section 620 all other officers. Additional information on active duty lists is contained in reference (b) MCO P1400.31, Officers Promotion Manual.

\*5. Active Reserve Program (AR). Marines who are part of the Selected Reserve on full-time active duty under reference (a) Title 10, U.S.C., Section 12310 for the purpose of organizing, administering, recruiting, instructing, or training the reserve component.

6. Active Service. Service performed on active duty. One of the prime factors upon which initial retirement eligibility is based.

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7. Active Status. The status of a Reservist who is a member of the Ready Reserve or the Active Status List of the Standby Reserve, including Reserve officers on the active-duty list.

8. Administrative Separation. Discharge or release from active duty or reserve status upon or before expiration of enlistment, period of induction, or other required period of service, in the manner prescribed in this Manual, by law, by the Secretary of Defense or the Secretary of the Navy, but specifically excluding punitive separation by the sentence of a general or special court-martial.

9. Broken Service. Active duty or active duty for training in any branch of military service of the United States broken by any period greater than 24 hours and after completing a minimum of 12 consecutive weeks of active duty or active duty for training, unless such service results in continuous service as defined below.

10. Characterization of Service. Classification of the quality of service rendered.

11. Commander/Commanding Officer. A commissioned officer or warrant officer who, by virtue of rank and assignment, exercises primary command authority over a military organization or prescribed territorial area that under pertinent official directives, is recognized as a "command."

\*12. Commissioned Officer. An officer in any of the military services who holds a grade and office under a commission signed by the President, and who is appointed as a Regular or Reserve officer in the grade of CWO2 or above.

13. Commissioned Service. All periods of service as a commissioned officer or commissioned warrant officer, (CWO-2 and above), in the Army, Navy, Air Force, Marine Corps, or Coast Guard while on active duty or in an inactive status.

14. Continental United States (CONUS). United States territory, including the adjacent territorial waters, located within North America between Canada and Mexico.

15. Continuous Service

a. For Officers. Military service unbroken by any period greater than 24 hours.

b. For Enlisted Personnel

(1) Service in the Regular Navy or Naval Reserve or the Regular Marine Corps or Marine Corps Reserve which is continued by reenlistment "within 3 months" following discharge or release from active duty. A Marine who is reenlisted on the same day of the month, 3 calendar months from the date of discharge or release from active duty, is reenlisted "within 3 months."

(2) Reenlistment "within 6 months" following discharge or release from active duty provided the Marine is classified RE-1, recommended for preferred reenlistment, and holds an MOS listed as a "reenlistable" MOS. A Marine who reenlisted on the same day of the month, 6 calendar months from the date of discharge or release from active duty, is reenlisted "within 6 months."

16. Convening Authority. (1) The separation authority or (2) a commanding officer empowered to convene a special court martial, who has been authorized by the Secretary of the Navy to process a case for final action and who otherwise has the qualifications to act as a separation authority.

17. Counsel. A lawyer qualified and certified under Article 27(b), Uniform Code of Military Justice (UCMJ), assigned to represent a Marine during separation processing, or a civilian lawyer retained at the Marine's expense.

18. Discharge. Complete severance from all military status gained by appointment, enlistment, or induction.

\*19. Domestic Abuse. Domestic abuse is (1) domestic violence or (2) a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty when such violence or abuse is directed toward a person of the opposite sex who is: (a) A current or former spouse; (b) A person with whom the abuser shares a child in common; or (c) A current or former intimate partner with whom the abuser shares or has shared a common domicile. Refer to reference (by) MCO 1754.11.

20. Dismissal. Separation of a commissioned officer, effected by sentence of a general court-martial, or in commutation of such a sentence, or, in time of war, by order of the President, or separation of a warrant officer (WO-1) who is dismissed by order of the President in time of war. A complete severance from all military status.

21. Drop From the Rolls. A complete severance of military status pursuant to a specific statutory authority, without characterization of service.

22. Effective Date of Retirement. All retirements, except those by reason of physical disability and Reservists who are retiring with pay at age 60, are effective on the 1st day of the month. In the case of mandatory retirements, retirements will be effected on the 1st day of the month following the month in which the officer meets the statutory limit.

23. Entry-Level Status. Upon enlistment, a Marine qualifies for entry-level status during: (1) the first 180 days of continuous active military service; or, (2) the first 180 days of continuous active service after a service break following more than 92 days of active service. A Marine of a Reserve component who was not on active duty or is serving under a call or order to active duty for 180 days or less begins entry-level status upon enlistment in a Reserve component. Entry level status for a Marine of a Reserve component terminates as follows: (1) 180 days after beginning training if the Marine is ordered to active duty for training for one continuous period of 180 days

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or more; or, (2) 90 days after the beginning of the second period of active duty training, if the Marine is ordered to active duty for training under a program that splits the training into two or more separate periods of active duty. For the purposes of characterization of service or description of separation, the Marine's status is determined by the date of notification as to the initiation of separation proceedings. The period of entry level status is not interrupted by unauthorized absence or desertion.

\*24. Expiration of Active Service (EAS). The day active service terminates, including voluntary extensions of enlistment, convenience of the Government legal (CofGL), or convenience of the Government medical (CofGM) status, for Marines voluntarily retained on active duty.

25. Expiration of Current Contract (ECC). The date the current contract expires, excluding voluntary extensions of enlistment thereof that have not become effective.

26. Expiration of Obligated Service (EOS). The termination of the obligation under the terms of the Military Selective Service Act

\*27. Foreign Service. Service performed outside the fifty United States or its territories (American Samoa, Northern Marianas Islands, Guam, Puerto Rico, and U.S. Virgin Islands). Permanent assignment to sea duty (sea service) is not counted as foreign service. (See "Overseas" and "OCONUS").

\*28. Illegal Drug Involvement. Officers, see paragraph 4103.1. Enlisted, see paragraph 6210.5.

\*29. Inactive Duty Service. Duty authorized for Reserve Marines by appropriate authority and performed on a voluntary basis in connection with prescribed training or maintenance activities of assigned units. Inactive Duty Service may be creditable for pay purposes. For additional guidance see reference (e) MCO 1001R.1K and reference (f) DODFMR 7000.14-R Chapter 1.

30. Legal Advisor. A lawyer, uniformed or civilian, under the professional supervision of either the Judge Advocate General or General Counsel of the Navy, certified under, or otherwise meeting the professional requirements of Article 27(b), UCMJ.

31. Mandatory/Involuntary Retirement. Retirement required by law or enlisted regulations or as a result of actions by a selective early retirement board.

32. Mandatory Separation Processing. A general term used to ensure the commander initiates the involuntary separation process to the separation authority. This term does not mean that a board hearing is mandatory or that the separation of the respondent is mandatory.

33. Marine. Officer or enlisted member of the Regular or Reserve establishment of the Marine Corps.

\*34. Member (also Service member). A term used in law and regulation to describe persons in the Regular or Reserve components of the Armed Forces.

35. Military Record. An individual's overall performance while a member of the military service, including personal conduct and performance of duty.

36. Nonprobationary Officers. A commissioned officer other than a probationary commissioned officer.

37. Obligated Service. All service prescribed in the officer program through which an officer was accessed and all service incurred by the officer in consideration of being tendered an initial appointment, or any additional obligation incurred.

38. Officer. A member of the naval service serving in a commissioned or warrant officer grade, either temporary or permanent. The term "officer" does not include any midshipman at the Naval Academy; midshipman, U.S. Navy; midshipman, U.S. Naval Reserve; aviation cadet; or other person in an officer candidate status similar to any one or more of the foregoing.

\*39. Other Than Active Reserve. Reserve warrant officers on the Reserve Active-Status List (RASL), but not in the AR program.

40. Outside the Continental United States (OCONUS). Any area of the world other than the CONUS to include Alaska and Hawaii.

41. Overseas. All locations, including Alaska and Hawaii, outside the continental United States.

42. Prior Enlistment or Period of Service

a. Service in the Regular or Reserve component of the Armed Forces, including the Coast Guard, under a DD Form 4 (enlistment contract) or an extension of an enlistment contract and which was terminated by issuance of a DD Form 214, discharge certificate, certificate of service, or report attesting to the type and character of service rendered during that period.

b. In determining characterization for separation from the reserve component, "Prior Enlistment or Period of Service" does not include service, pursuant to orders or an agreement by a Marine of the reserve component on active duty for training or active duty for special work, even if the end of that service is memorialized by a DD Form 214 indicating release from active duty.

43. Probationary Commissioned Officer

a. A commissioned officer on the Active Duty List with less than 6 years of active commissioned service; or,

b. A Reserve commissioned officer with less than 6 years of commissioned service. However, a Reserve commissioned officer serving in an active status before 1 October 1996 who was in a probationary status before

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that date, is a probationary commissioned officer for a period of 3 years from the date of his or her appointment as a Reserve commissioned officer.

44. Qualified Resignation. A resignation for which the least favorable characterization of service allowed is general (under honorable conditions).

45. Release from Active Duty. Termination of active duty status and transfer or reversion to a Reserve component not on active duty, including transfer to the Individual Ready Reserve (IRR).

46. Resignation. The request, by an officer, to be divested of his or her commission or warrant. Such requests may be classified as "Unqualified," "Qualified," or "For the Good of the Service" as defined in this chapter. Upon acceptance by the Secretary and completion of all administrative procedures, it represents a complete severance from all military status.

47. Resignation for the Good of the Service. A resignation for which the least favorable characterization of service allowed is under other than honorable conditions.

48. Respondent. A Marine who is the subject of separation proceedings.

49. Retention on Active Duty. The continuation of an individual in an active duty status in the Regular Marine Corps or Marine Corps Reserve.

50. Revocation of Appointment/Revocation of Commission/Termination of Appointment. A complete termination of the military service status of an officer.

51. Separation. A general term which includes discharge, dismissal, dropping from the rolls, revocation of an appointment or commission, termination of an appointment, release from active duty, release from custody and control of the Marine Corps, or transfer from active duty to the: IRR, Fleet Marine Corps Reserve, Retired List, Temporary or Permanent Disability Retired List, or Retired Reserve and similar changes in an active or reserve status.

52. Separation Authority. The Secretary of the Navy or an official authorized by the Secretary of the Navy to take final action with respect to a specified type of separation.

53. Separation Processing. Processing is initiated on the date a command receives a written request for separation from a Marine, or on the date a Command delivers a Marine notice of separation proceedings per section 3 of chapter 6. Processing is not completed until the appropriate separation authority takes final action.

\*54. Sexual Assault Initial Disposition Authority (SA-IDA). An O-6 Special Court-Martial Convening Authority who has the non-delegable responsibility for initial disposition under R.C.M. 306, per reference (c) Manual for Courts Martial (MC), for certain sexual assault offenses.

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\*55. Sex Offense. A criminal conviction for an offense that requires registration as a sexual offender per the National Guidelines for Sex Offender Registration and Notification reference (g) (73 Federal Register 38030-69).

\*56. Sexual Harassment. A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

\*a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career, or;

\*b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or;

\*c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment. Abusive work environment harassment need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or abusive.

\*57. Sex Offender. A person having been convicted of a criminal offense according to guidelines in The National Guidelines for Sex Offender Registration and Notification July 2, 2008. (Reference (g) 73 Federal Register 38030-69).

58. The Secretary. The Secretary of the Navy; includes the Under Secretary of the Navy or an Assistant Secretary of the Navy.

59. Unqualified Resignation. A resignation for which the only characterization of service allowed is honorable.

60. Voluntary Retirement. Retirement effected as a result of a request from a Marine.

1003. TYPES OF SEPARATION. The most common types of separations are listed below. The first six are administrative separations and may be awarded per this Manual. The last two are punitive and may only be awarded as a result of an approved sentence of the appropriate level court-martial. In certain cases, service upon separation may be uncharacterized.

<u>Types of Separation</u>	<u>Character of Separation</u>	<u>Action</u>
Release from active duty	Honorable, General (under honorable conditions), Uncharacterized	Administrative
Honorable discharge	Honorable	Administrative
General discharge	General (under honorable conditions)	Administrative



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Discharge under other than honorable conditions	Under other than honorable conditions	Administrative
Entry level separation	Uncharacterized	Administrative (entry level status)
Order of release from custody or control of the Marine Corps	Uncharacterized	Administrative
Bad conduct discharge	Bad conduct	General CM Special CM
Dishonorable discharge	Dishonorable	General CM

1004. CHARACTERIZATION OF SERVICE

\*1. Importance of Proper Characterization. Per applicable regulations, Separation Authorities and the DC, M&RA determine characterization of service for enlisted Marines, and the DC, M&RA and the Secretary of the Navy determine the characterization of service for officers.

a. Characterization is recognition of the quality of a Marine's performance and conduct. Determining the proper characterization should not be underestimated. Characterization serves as a goal for each Marine and as a meaningful endorsement to potential employers.

b. Most Marines serve honorably. In fairness to those Marines, commanders and separation authorities should ensure that undeserving Marines receive no higher characterization than is due.

2. Types of Characterization or Description. In addition to information provided in Table 1-1, characterization of service or description of separation based upon administrative action is authorized as follows:

a. Honorable. This is the highest quality of characterization.

\* (1) Honorable upon EAS separation. Honorable characterization is appropriate when the quality of the Marine's service has met the standards of accepted conduct and performance of duty for military personnel. Characterization will normally be honorable for Marines with both average proficiency marks of 3.0 or higher and average conduct marks of 4.0 or higher. Marines with proficiency marks below 3.0 and conduct marks below 4.0 may receive an Honorable characterization at the separation authority's discretion. The separation authority may determine an honorable characterization of service is warranted in cases where a Marine's service is otherwise so meritorious that any other characterization would clearly be inappropriate.

(2) Honorable upon involuntary separation under chapter 6 or separation in lieu of trial by court-martial. If a Marine is being separated as a result of adverse conduct, unsatisfactory performance, or is requesting separation in lieu of court-martial, an honorable characterization is appropriate only if the Marine's service is otherwise so meritorious that any other characterization would clearly be inappropriate.

\*b. General (Under Honorable Conditions). This is the second highest quality of characterization and is appropriate if the Marine's service has been honest and faithful, but significant negative aspects of the Marine's conduct or performance outweigh positive aspects of the Marine's military record.

\*(1) General upon EAS separation. A separation authority may assign a General (Under Honorable Conditions) characterization of service to an enlisted Marine regardless of the Marine's rank.

\*(a) Corporals and Below with Average Proficiency Marks below 3.0 and Conduct Marks below 4.0. Characterization of service for Marines in this category should be General (Under Honorable Conditions). No additional documentation or justification is required to assign a General (Under Honorable Conditions) characterization of service in these cases.

\*(b) In all other enlisted cases, the conduct at issue must meet a basis that could result in involuntary separation per paragraphs 6210, 6213, or 6215 of this manual. The Marine must be notified in writing and be afforded a reasonable opportunity to submit matters for consideration. If a separation authority then concludes that a General (Under Honorable Conditions) characterization of service is still warranted, the reasons for that determination must be documented on page 11 of the Service Record Book/Electronic Service Record (SRB/ESR). All supporting documents shall be forwarded to MMRP-20 for inclusion in the Marine's Official Military Personnel File (OMPF). If the Marine chooses not to submit matters for consideration, no further page 11 entries are required. The following page 11 entry will be used to document a separation authority's intent to characterize a Marine's service as GENERAL (Under Honorable Conditions):

\*(DATE): I have been informed by my separation authority that I may receive a General (Under Honorable Conditions) characterization of service upon release from active duty based on (describe incident(s), e.g. DUI, NJP(s), act(s) of misconduct). This behavior is a significant departure from the conduct expected of a Marine and could be the basis for involuntary separation in accordance with MCO 1900.16G paragraph (6210,6213,6215). I was advised of my right to seek legal advice and to submit matters for my separation authority's consideration and that such matters may be submitted within 5 working days after acknowledgement of this notification. I wish (to) (not to) submit matters for consideration."

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This entry must be certified by the Marine and the separation authority. The following page 11 entry will be used to document a separation authority's decision after consideration of any matters submitted by the Marine:

\*“(DATE): After careful consideration of (Marine's Rank, Name) (Conduct and matters submitted for consideration), I have concluded that a General (Under Honorable Conditions) characterization of service (is) (is not) warranted. My decision is based on the incident cited on (date of the page 11 above) (and or any additional incidents or circumstances)” CO

\* (2) General upon involuntary separation under chapter 6 or separation in lieu of trial by court-martial. If a Marine is requesting separation in lieu of court-martial, a General (Under Honorable Conditions) characterization is appropriate only if the Marine's service is otherwise so meritorious that any other characterization would clearly be inappropriate.

c. Under Other Than Honorable Conditions (OTH). This is the least favorable administrative characterization.

(1) OTH upon EAS separation. Not authorized.

(2) OTH upon involuntary separation under chapter 6 or separation in lieu of trial by court-martial. OTH is appropriate when the basis for separation is commission or omission of an act that constitutes a significant departure from the conduct expected of a Marine. Examples of factors that may be considered include, but are not limited to: the use of force or violence to produce serious bodily injury or death, abuse of special positions of trust, disregard of customary senior-subordinate relationships, acts or omissions endangering the security of the Marine Corps, deliberate acts or omissions seriously endangering the health and safety of others, and drug abuse. OTH characterization is authorized only if (1) the Marine has been afforded the opportunity to request an administrative board, or (2) the Marine requests separation in lieu of trial by court-martial under paragraph 6419 of this Order.

\* (3) When an enlisted Marine serving in pay grade E-4 or above is administratively separated with an other than honorable characterization of service, the Marine shall be administratively reduced to pay grade E-3, with such reduction to become effective upon separation. The automatic reduction to pay grade E3 does not apply for Marines transferred to the FMCR. See paragraph 6106.4.

d. Uncharacterized. See paragraph 1004.5.

3. Guidelines for Determining Characterization for Involuntary Separations Under chapter 6. A board or separation authority may consider the following factors and any other relevant information in determining characterization:

a. Standards of performance and conduct as determined by reference (h) MCO P1610.7F, Performance Evaluation System, reference (i) MCO P1070.12K, Individual Records Administration Manual (IRAM), and customs of the service form the primary basis for determining characterization of service. Minimum

acceptable average proficiency and conduct markings during an enlistment are 3.0 and 4.0 respectively. Failure of a Marine to achieve either of these standards is evidence of significant negative aspects, outweighing all but the most meritorious military records. Marines who do not achieve these standards should not receive an honorable discharge.

b. The reason for separation.

c. The type of behavior which is the basis for separation. Generally, characterization will be based on a pattern of behavior rather than an isolated incident, although a single instance of misconduct or poor performance may be the basis for characterization.

d. The limitations on characterization in paragraph 1004.4 and sections 2 and 4 of chapter 6.

e. The Marine's age, length of service, grade, aptitude, and physical and mental condition.

f. Conduct in the civilian community, whether or not such conduct is subject to the UCMJ, which brings discredit to the service or prejudices good order and discipline.

#### 4. Limitations on Characterization

##### a. Prior enlistment or period of service

(1) Characterization. Characterization of the current enlistment or period of service is determined by conduct, actions, or performance during that enlistment or service plus any extensions prescribed by law or regulations or effected with the consent of the Marine. Thus, positive or negative conduct, acts, or performance during a period of prior military service--including court-martial, nonjudicial punishment, absence without leave, misconduct for which a reenlistment waiver was granted, or commission of other offenses for which punishment was not imposed or adjudged--cannot be considered in determining the characterization to be recommended for the current enlistment. (Note: 6105 counseling entries from previous enlistments carry over and remain valid in current enlistment.) The issuance of a DD Form 214 to a Marine of the Selected Marine Corps Reserve (SMCR) or Individual Ready Reserve (IRR) after any period of active duty is used in determining characterization of separation from the reserve component.

(2) Retention. Prior conduct, acts, or performance can be considered in determining whether the board or separation authority will recommend or decide retention or separation. If such matter is considered on the issue of retention or separation, the record shall include a statement that the separation authority did not consider such matter on the issue of characterization.

\*b. Pre-service activities. Pre-service activities, including misconduct for which an enlistment waiver was granted, may not be considered in determining characterization except in a proceeding concerning fraudulent

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entry into the Marine Corps. Evidence of pre-service misrepresentations about matters that would have precluded, postponed, or otherwise affected the Marine's eligibility for enlistment or induction may be considered.

c. Serious offense. When separation is based solely upon a serious offense or serious offenses (including a violation of Article 112a, UCMJ) which resulted in a conviction by a special or general court-martial that did not adjudge a punitive discharge, and the general court martial convening authority (GCMCA) recommends a characterization of service as under other than honorable conditions under the guidance in sections 1 and 2 of chapter 6, separation and characterization must be approved by the DC, M&RA on a case-by-case basis. However, referral to the DC, M&RA is not required if the special or general court-martial was not authorized to adjudge a punitive discharge. For the purpose of this paragraph, summary courts-martial, nonjudicial punishments, and other misconduct considered at a special or general court-martial do not, thereby, become part of the serious offense(s) resulting in conviction. Referral to the DC, M&RA is not required when the Marine is notified of processing based upon misconduct in addition to the serious offense(s) of which convicted at special or general court-martial, when the additional misconduct would form the basis, in whole or in part, for an other than honorable characterization of service.

d. Conduct by Reservists. Conduct in the civilian community by a Marine of the reserve component (including the IRR) who, at the time of the conduct, is not on active duty or active duty for training, may form the basis for characterization under other than honorable conditions only if such conduct directly affects the performance of military duties (service related). Such conduct may form the basis of characterization as general (under honorable conditions) only if such conduct adversely affects the overall effectiveness of the Marine Corps including military morale and efficiency.

e. Drug Abuse. Confirmed illegal drug use requires mandatory administrative separation processing. If processing is based solely upon evidence that may not be considered in determining characterization of service, the separation authority may direct retention or approve an honorable or general (under honorable conditions) characterization of service as warranted by the respondent's service record. In all other administrative separation proceedings based on drug abuse, the GCMCA may act as the separation authority and take final action in accordance with paragraph 6309 of this Order (except in cases that must be forwarded to the Secretary of the Navy or the CMC/DC M&RA under subparagraph 1004.4c or paragraph 6307). See reference (j) SECNAVINST 5300.28E for a detailed discussion.

(1) Using urinalysis results. Evidence obtained from an involuntary urinalysis taken under Military Rules of Evidence 312-316 (bodily or medical examinations or intrusions, inspections, search, or seizure) may be used in determining characterization and can support OTH characterization. Urinalysis results obtained during fitness for duty examinations, if not based on probable cause or valid medical purpose, cannot be used as the basis for unfavorable characterization except when used for impeachment or rebuttal

in any proceeding in which evidence of drug abuse has been first introduced by the Marine.

(2) Rehabilitation. A Marine's voluntary submission to a DoD treatment and rehabilitation program, and evidence voluntarily disclosed by the Marine as part of the course of treatment in such a program, may not be used against the Marine on the issue of characterization of service. In such cases, the separation authority may only direct or approve an honorable or general (under honorable conditions) characterization of service as warranted by the respondent's service record if the separation authority does not direct retention. This limitation does not apply to:

(a) Introducing evidence for impeachment or rebuttal in any proceeding in which evidence of drug abuse has been first introduced by the Marine; or

(b) The taking of action based on independently derived evidence, including evidence of continued drug abuse after initial entry into a treatment and rehabilitation program, information disclosed by the Marine to persons other than military substance abuse program personnel, or information disclosed in connection with investigation or disciplinary proceedings.

\*f. Domestic Abuse Repeat Offenders. Separation authorities shall initiate administrative separation proceedings for Marines determined to have committed a "Substantiated" second domestic abuse offense as defined and required by reference (by) MCO 1754.11. When initiating an administrative separation as a result of domestic abuse involvement, the separation authority must include domestic abuse as part of the reason for separation so the spouse and family may initiate the application process for financial compensation and retention of ID card benefits and privileges through the Transitional Compensation for Abused Family Members program.

\*g. The separation authority for all enlisted Marines with 18 or more years of active/active constructive service is the DC, M&RA. The characterization of service for these Marines is normally honorable. Characterization of service for Marines in this category, who are separated as a result of misconduct, may be less than honorable. In cases which warrant such a characterization, the command must forward a recommendation to the CMC (MMSR-3), with supporting documentation; written notification to the Marine, the Marine's matters submitted for consideration and command endorsements for a determination by DC, M&RA.

## 5. Uncharacterized Separations

a. Uncharacterized. An uncharacterized description shall be used as follows: (Note: With respect to nonservice related administrative matters, i.e., Department of Veteran Affairs (VA) benefits, civilian employment, etc., an uncharacterized separation shall be considered as the equivalent of an honorable or general, [under honorable conditions] characterization.)

(1) When a separation is initiated while a Marine is in an entry level status (see par 1002.23), except in the following circumstances:

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(a) When separation for misconduct or fraudulent enlistment is authorized and when characterization under other than honorable conditions is warranted by the circumstances of the case;

(b) When separation in lieu of court-martial is authorized and when characterization under other than honorable conditions is warranted by the circumstances of the case; or,

(c) When characterization of service as honorable is clearly warranted by the presence of unusual circumstances involving personal conduct and performance of military duty and is approved on a case-by-case basis by the Secretary of the Navy. Honorable characterization will be considered when the Marine is separated by reason of selected changes in service obligation, Convenience of the Government (CofG), disability, or Secretarial plenary authority.

(2) When a Marine with broken service is separated while in indoctrination or MOS training and fails to satisfactorily complete such training; or;

(3) When a Marine is separated while in the Delayed Entry Program because of ineligibility for enlistment. Separation is effected per par 6204.

b. Void Enlistment or Induction. A Marine whose enlistment or induction is void shall not receive a discharge certificate. Characterization of service shall be uncharacterized. The separation shall be described as an order of release from custody or control of the service concerned. When a constructive enlistment arises, characterization is required.

(1) An enlistment is void in the following circumstances:

(a) If it was effected without the voluntary consent of a person who has the capacity to understand the significance of enlisting in the Marine Corps, including enlistment of a person who is intoxicated or insane at the time of enlistment;

(b) If the person is under 17 years of age;

(c) If the person is a deserter from another military service; or

(d) If the person tests positive for drugs or alcohol during the entrant drug and alcohol test, follow the procedures in paragraph 6211.

(2) Although an enlistment may be void at its inception, a constructive enlistment arises in the case of a person serving with the Marine Corps who:

(a) Submitted voluntarily to military authority;

(b) Met mental competency and minimum age qualifications at the time of voluntary submission to military authority;

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(c) Received military pay or allowances; and

(d) Performed military duties.

(3) If an enlistment is void at its inception and is followed by a constructive enlistment within the same term of service, characterization of service, or description of separation, shall be per paragraphs 1003 and 1004. If the enlistment was void by reason of desertion from another service, the Marine shall be separated by an order of release from the custody and control of the Marine Corps, regardless of any subsequent constructive enlistment, unless the Secretary of the Navy determines that retention is appropriate.

(4) The occurrence of such a constructive enlistment does not preclude the CMC, in an appropriate case, from either retaining or separating the Marine on any basis for separation provided in this manual.

1005. RELEASE FROM ACTIVE DUTY OR DISCHARGE FOR EXPIRATION OF ENLISTMENT OR FULFILLMENT OF SERVICE OBLIGATION

1. Commanders are authorized to discharge enlisted Marines upon expiration of enlistment, extension of enlistment, or period of induction. The expiration of enlistment for any of the above is the date of the month immediately preceding the appropriate anniversary of the date of enlistment as adjusted for any time lost. Refer to subparagraph 1007.7c for additional guidance regarding the date of separation should this date fall on a Saturday, Sunday, or holiday.

2. Marines who elect to reenlist within 90 days before their expiration of active service are afforded the same benefits as though they were discharged at their EAS except as stated in reference (k) MCO 7220.24N, Selective Reenlistment Bonus (SRB/ESR) Program. The reason for discharge will be expiration of enlistment.

3. Except for reenlistment or when discharge is otherwise directed by competent authority, enlisted Marines who have not completed the military service obligation prescribed in reference (a) Title, 10 U.S.C. 651, will not be discharged upon expiration of enlistment. They will be released from active duty and transferred to the IRR. Marines separated before their expiration of enlistment will be transferred to the IRR subject to the guidance in paragraphs 6311.3 and 6401.5.

\*4. When a Reservist is released from extended active duty vice initial active duty for training and transferred to the Reserve component vice discharged (e.g., recruiter's aide assigned to temporary active duty), use MBK4 as the separation program designator (SPD) code. See Appendix A for instructions on accessing SPD codes.

1006. TIME AND PLACE OF SEPARATION

1. Commanding officers will separate Marines under their command when due or directed except:



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a. When the unit is located outside the limits of the United States or in Alaska. (Marines stationed in Hawaii will be separated in Hawaii);

\*b. When the CMC(MMEA/MMOA) or CMC(RAM) for AR Marines, directs transfer for separation elsewhere based upon humanitarian or hardship circumstances;

c. When the Marine is in an unauthorized absence (UA) status on the effective date of separation, unless the Marine meets the criteria of par 6312.

2. There may be occasions in which assignments and deployment schedules cause a unit to have an excess number of first term Marines, resulting in lack of billeting spaces and equipment that negatively impact the quality of life and morale of the command. In these instances, commanding generals, endorsed by the appropriate commander, Marine Forces, may request the separation of selected first term Marines within 90 days of their EAS. Such requests should be forwarded to the Director, Manpower Management Division (MM/MMEA) with an information copy to the Director, Manpower Plans and Policy Division (MP/MPE) and include the grade, name, EDIPI/MOS, and EAS of the affected Marines. If approved, these Marines should be separated from their unit location unless prior coordination and approval is received from a regional separations site.

\*3. In no case will Marines be separated more than 90 days before their EAS without approval by the CMC (MMSR-3). Requests for separation more than 90 days before EAS require Secretary of the Navy approval under paragraph 6421.

\*4. Marines will be separated in the United States unless other provisions in this Manual allow separation outside of the United States. Commanding officers of units overseas must transfer Marines pending separation to a Marine Corps activity in the continental United States (CONUS) which has government messing, quarters, medical, and Marine Corps disbursing facilities. See paragraphs 1006.5 and 1006.6. Commanders will ensure Marines arrive at the separation location as close to, but not less than 10 days before the effective date of separation; coordinate with MMEA and MMOA as required. Marines returning from permanent overseas duty stations who are within 90 days of completing their active service obligations may request separation upon return. Upon the Marine completing the administrative requirements of this paragraph, voluntary separation may be effected pursuant to paragraphs 6401 and 6420.

a. Criteria for Early Separation Upon Return to the United States

(1) The Marine's enlistment (including any extension thereof) or period of extended active duty will expire 90 days or less after the date of arrival in the United States. The intent of this paragraph is to discharge Marines no earlier than 90 days from their established EAS. If no leave has accrued the EAS would be adjusted to the date of separation by up to 90 days. If the Marine had accrued leave and/or PTAD, EAS would be adjusted from the date of departure from the separation site to give the Marine credit/pay for those accrued days;

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- (2) Marine consents in writing as outlined in subparagraph 1006.4e;
- (3) Marine is not indebted to the Government;
- (4) Marine does not intend to reenlist;
- (5) Marines transferring to the Retired List/FMCR are not eligible for early separation under the provisions of this paragraph; and
- (6) The provisions of this paragraph will not be used in conjunction with other special early release programs.

b. Military Service Obligation (MSO). Separation should be consistent with the MSO of the Marine. Enlisted Marines whose total obligated service will expire within a 60-day period may be discharged rather than released to inactive duty and their obligation shall be considered fulfilled. Marines desiring to immediately reenlist will not be separated under this authority.

c. Expiration of Current Contract (ECC) Date. Commanders must report via unit diary a change of ECC date to coincide with the discharge date.

d. Early Separation Overseas. A Marine who is entitled to and elects early separation overseas may do so provided the Marine meets the criteria of paragraph 1006.4a, 1006.8 and the following:

- (1) The Marine consents to such separation in writing as outlined in paragraph 1006.4e; and
- (2) It is more economical to the Government. Commanders will advise the the CMC (MMEA/MMOA) by message at least 10 days before separation so that appropriate orders may be issued.

e. Member's Consent. The following statement of consent will be entered on the administrative remarks page (page 11) of the service record and signed by the Marine concerned:

"I hereby consent to be (discharged) or (released) on (date) in lieu of my normal or established date of discharge or release on (date). My enlistment (including any extension thereof) or period of extended active duty will expire 90 days or less after the date of my arrival in the United States. I am not indebted to the U.S. Government. I do not intend to reenlist. I am not transferring to the Retired list/Fleet Marine Corps Reserve. I understand that entitlement to pay and allowances and credit for active Federal service ceases on the actual date of my separation from active service."

(1) If the Marine does not consent to early separation, the Marine will be discharged or released, as appropriate, upon the expiration of obligated active service (EAS).

(2) Refer to paragraph 1007.6 for information concerning the effective date of separation of a Reservist assigned to active duty.

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f. Recoupment of Reenlistment Bonus. Recoupment of reenlistment bonuses will not be made from Marines separated under this paragraph.

g. Recall Status. During a recall, Marines separated early under this paragraph will be considered in the same status as those who have completed their enlistment or periods of extended active duty.

h. Good Conduct Medal. Marines consenting to early discharge or release to inactive duty per this paragraph shall be granted a waiver (contact CMC - MMMA) not to exceed the actual number of days that the early release is effected, provided they are otherwise eligible for this award.

i. Separation of Marines Pending Foreign Criminal Jurisdiction Proceedings. Subject to the provisions of paragraph 1008.2d and the Secretary of the Navy Instruction (SECNAVINST) 5820.4G of reference (1), a Marine in custody or confinement in a foreign country may be separated from the naval service OCONUS while in custody or confinement.

#### 5. Separation Locations

a. Marines returning to the United States for immediate retirement, transfer to the FMCR, or for separation (per the reference (u) Joint Federal Travel Regulations (JFTR) Chapters 1 and 5) may select one of the following CONUS locations for separation processing.

\* Marine Corps Installation, West, CAMPEN CA 014

\* Marine Corps Installation, East, CAMLEJ NC 013

b. The commanding officer at the old duty station shall:

\* (1) Counsel the Marine on the Survivor Benefit Plan (SBP) per reference (m) MCO P1741.11D if retiring or transferring to the FMCR;

\* (2) Ensure that the service record accompanies the Marine to the separation activity;

(3) Ensure a medical evaluation is completed;

\* (4) Ensure that the DD Form 2648 is completed;

(5) Submit to the separation activity, before the Marine's detachment, travel and arrival information of the Marine and dependants in addition to biographical information on the Marine suitable for reading at a retirement or separation ceremony, should the Marine desire one at the separation site;

(6) Advise the Marine that dislocation allowance (DLA) and proceed are not authorized in conjunction with travel to the home of selection (HOS), or in the execution of orders (MCC W95) to a CONUS based separation site; and

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(7) Comply with instructions in paragraphs 1101; 2004 (retiring officers); and 7005 and 7007 (retiring enlisted).

6. Exceptions. Marines stationed overseas who are eligible for separation and who desire separation at a Marine Corps activity not listed in paragraph 1006.5, will request (MCC W95) orders via naval message to the CMC (MMIA) and info the CMC (MMEA/MMOA) for separation at that activity. Marines with family members in Government quarters at a CONUS site must request separation at that site.

a. These requests will not normally be approved unless a humanitarian or hardship situation exists, or the Marine can demonstrate that the location requested is the closest location to where they are establishing a permanent post service residence. Documentation considered as acceptable in this case includes (but is not limited to): TMO documents that list a location near the proposed separation site as the final household goods destination, a bona fide employment offer in the proposed separation site vicinity or proof of legal permanent residence at the proposed separations site.

b. Required Paragraph in Orders. Orders issued by the CMC (MMOA/MMEA) authorizing Marines to proceed to a station not listed in paragraph 1006.5 for separation processing will include the following paragraph:

"At your request you are authorized to report to (name and location of activity) instead of (the separation activity in the United States to which ordered) for separation processing. Entitlement to reimbursement for mileage or expenses will be determined by reference (u) JFTR and reference (n) OnLine Marine Corps Travel Instructions Manual (MCTIM), as applicable. Travel time in excess of that authorized for the direct travel will be charged as leave. If you do not desire to bear additionally incurred expenses, this authorization is revoked and you will report as directed in your basic orders. Per reference (u), JFTR, chapter 5, paragraphs U5125 or U5130, as applicable, and reference (n) OnLine Marine Corps Travel Instructions Manual (MCTIM) apply."

7. Non-retirement eligible Marines stationed outside the continental United States (OCONUS) desiring to request voluntary separation, are required to request a date within 60 days after completion of their RTD, or they will be required to serve a minimum of 1 year at a new duty station. These 60 days are designed to allow Marines to take terminal leave after completion of all outprocessing at a separation center. Marines pending mandatory retirement are not required to serve 1 year at a new duty station. Marines will not be assigned temporary additional duty (TAD) at the separation center awaiting outprocessing. Marines who have no accrued leave or are selling back leave will check into a separation center as close to, but not less than 10 working days before their retirement/transfer FMCR date. Marines desiring to take terminal leave will check into a separation center as close to, but not less than 10 working days, plus the number of days for leave before the retirement/transfer FMCR date. Greater than 60 days requires approval of the CMC (MMEA/MMOA). The preceding does not account for any permissive temporary additional duty (PTAD) to which the Marine may be authorized.

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8. Separation OCONUS

a. Marines serving overseas whose permanent residence is OCONUS may request separation at the Marine Corps activity nearest their home rather than returning to the United States. A Marine stationed in Alaska may request separation at that duty station. Marines who are residents of, and stationed in, Hawaii or Alaska will separate at their duty station. Commanding officers must ensure the Marine is properly counseled about travel allowances and shipment of personal property/household goods and time limitations on exercising these entitlements.

b. Marines serving in a foreign country may request separation at their duty station under the following conditions:

- (1) The Marine is eligible for separation under honorable conditions;
- (2) The country in which the Marine is separating is nonbelligerent;
- (3) The Marine has a passport and permission to remain in the country; and

(4) To approve such requests, the commanding officer may accept a written statement from the appropriate consular or diplomatic representative certifying that the Marine has applied for, and is eligible to receive, a passport upon separation. A written statement from the foreign government authorizing a Marine permission to travel or reside in the country will suffice for proof of permission to remain in the country. For enlisted Marines, approval authority under this paragraph rests with the commanding officer. Officers desiring separation or retirement under this paragraph must forward their requests and supporting documents to the CMC (MMAOA).

1007. EFFECTIVE TIME OF SEPARATION

1. A discharge or separation takes effect at 2359 on the date of the discharge or separation. Members of the Marine Corps Reserve who are separated under other than honorable conditions, or with a bad conduct or dishonorable discharge, will be issued a copy of the letter in Figure 1-1 by the command.

\*2. In cases where discharge has been authorized or directed and the Marine is unavailable due to confinement in a civilian jail, prison, or institution and personal delivery of the certificate is not possible or feasible, the discharge will be effective at 2359 on the date shown on the discharge certificate. If the Marine is unavailable due to unauthorized absence, a discharge in absentia will not be effected without the approval of the CMC (MMSR) unless the Marine meets the criteria in paragraph 6312.

3. For the purpose of entitlement benefits administered by the Department of Veteran's Affairs, a Marine discharged or released from a period of active duty may be entitled to benefits after the date of discharge, during the period of time required to proceed home by the most direct route or, in any

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event, until 2359 of the date of such discharge or release. Per reference (o) Title 38 U.S.C. Section 106(c), if a discharged or released Marine is injured while returning home by the most direct route and requires hospitalization, the Marine will be deemed to have been on active duty regardless of the date of discharge or release.

4. If discharge is being effected as a result of immediate entry or re-entry into any component of the Armed Forces, the discharge certificate will be dated as of the day immediately preceding such entry or re-entry.

5. When the date of discharge is not indicated, an approved administrative discharge will be effected at the earliest practicable date and normally not later than 5 working days from the time of receipt of the discharge order by the command concerned. Independent units which do not have an organic disbursing office will effect an approved administrative discharge not later than 20 working days from the time of receipt of the discharge order.

6. The release of a Reservist from active duty is effective at the expiration of authorized travel time. The discharge of a Reservist as the result of expiration of enlistment or fulfillment of service obligation will be effective on the date shown on the discharge certificate.

\*7. Final pay or a substantial portion of final pay will be prepared and delivered to the Marine on the date of discharge or release from active duty.

\*8. Marines desiring to extend or reenlist will be required to execute a reenlistment contract or extension of enlistment on or before the date their current enlistment contract expires; they will not be discharged early under this paragraph. The reenlistment contract or extension must be effective on the day after the date of discharge or expiration of enlistment.

9. Consistent with the Marine's military service obligation, commanders are authorized to effect discharge (Regular or Reserve), or to order release from active duty (Regular or Reserve) on the last working day preceding a Saturday, Sunday, or holiday liberty period when the separation date falls on one of those days, provided the Marine concerned consents in writing per paragraph 1006.4e. If the Marine is not returning from overseas, omit the second sentence of the page 11 entry in its entirety.

1008. RETENTION BEYOND DATE DUE FOR SEPARATION

1. A Marine may be retained for the Convenience of the Government beyond the established separation date in the following cases:

a. Hospitalized, Undergoing Medical Treatment, or Not Physically Qualified for Release (see paragraph 1011). A Marine on active duty who is hospitalized, undergoing medical treatment, or who is found not physically qualified for release will, with the Marine's written consent, be retained on active duty until disposition of the case is made by medical authorities except in the case of:

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\* (1) A Marine subject to mandatory separation or an approved retirement. In such cases, only the Secretary of the Navy or CMC, may authorize deferral for medical reasons.

\* (2) A Marine subject to selective early retirement or service limits. In such cases, only the Secretary of the Navy or the CMC, acting within specific limited guidelines, may authorize deferral of a mandatory separation for medical reasons.

(3) Marines receiving either an unsuspended punitive or administrative separation upon a basis that may result in an other than honorable conditions characterization of service. See reference (p) Manual of the Medical Department (MANMED), article 18-5.

\* (4) Reserve component Marines on orders for a period of less than 30 consecutive days.

\*b. See reference (q) SECNAVINST 1770.3D and reference (e) MCO 1001R.1K for further guidance for medical retention of Reserve Marines.

c. Disciplinary Status

(1) Those personnel to whom jurisdiction has attached by commencement of action with a view to trial, as by apprehension, arrest, confinement, or filing of charges, before release from active duty, may be retained on active duty. Once jurisdiction has been so attached, it continues for purposes of trial, sentence, and punishment. Additionally, personnel may be retained if subject to the initiation of a preliminary inquiry, subject to information of a discreditory nature that may lead to a preliminary inquiry or the assumption of jurisdiction, to include, but not limited to, a restraining order against their person.

(2) Entitlement to pay and allowances for personnel retained after expiration of term of service in a disciplinary status is prescribed in the Department of Defense Financial Management Regulations (DoDFMR 7000.1-R (reference (f))).

\* (3) Personnel retained beyond EAS due to serving a confinement sentence or awaiting appellate review of a court-martial may be punitively discharged under the provision of, and upon compliance with, the Manual of the Judge Advocate General of the Navy reference (r) JAGMAN 5800.7F and/or reference (s) SECNAVINST 5815.3J. Confinees who have completed the appellate review process and have had the opportunity to submit one clemency request to the Naval Clemency and Parole Board may be discharged while in confinement. Discharged Marines will be provided a DD Form 214 at the time of their release from confinement at expiration of their sentence, or upon their parole or transfer to a Federal institution.

2. Marines shall not be retained beyond their separation date in the following instances:

a. Witness. Marines will not be retained on active duty to be a witness before court-martial or an investigative body. In appropriate cases, depositions should be obtained, taking into account the limitations upon their use in court-martial proceedings, or resort to the use of subpoenas of witnesses no longer subject to military orders.

\*b. Administrative Discharge. Marines undergoing administrative separation processing will not be involuntarily retained on active duty past their release date. However, Marines involuntarily retained on active duty pursuant to paragraph 1008.1.c.(1) above, may be administratively separated pursuant to their own request in lieu of trial by court-martial, or pursuant to a negotiated pretrial agreement at a court-martial. In either case, said request or agreement by the Marine must be made with the assistance of counsel. This provision does not apply to Officers. Reference (t) SECNAVINST 1920.6C controls the administrative separation of Officers and takes precedence over any conflicting provisions of this manual.

\* (1) If a Marine's EAS is extended due to time lost pursuant to 10 U.S.C. § 972 for unauthorized absence, desertion, confinement, or inability to perform duties because of intemperate use of drugs or alcohol, the Marine may be administratively separated during the extended period. Serving a punishment of restriction does not extend a Marine's EAS under 10 U.S.C. § 972.

\* (2) A Marine's EAS may be adjusted in the Marine Corps Total Force System (MCTFS) in a ministerial manner to complete the administrative requirements of discharging the Marine. This EAS adjustment is not an extension of the enlistment contract. The EAS adjustment is not a new basis or authority to involuntarily administratively separate a Marine.

c. Indebtedness to the Government. Indebtedness to the Government will not bar release from active duty. However, every effort should be made to recoup all indebtedness to the Government before separation.

d. Marines awaiting disposition of criminal proceedings by a foreign jurisdiction are afforded statutory and regulatory protection and benefits attendant to their status as a member of the Armed Forces. The policy of the Marine Corps is to ensure both that the Marine is afforded the fullest possible protection and that the Marine Corps meets its international obligations. In implementing this policy, the following procedures will be applied in all cases where foreign criminal jurisdiction is being, or may be, exercised over a Marine of the naval service by action such as apprehension, arrest, investigation, or filing of charges that may result in trial and where the foreign criminal proceedings are not likely to be completed before the date of the Marine's release from service because of the expiration of the Marine's term of service.

(1) At least 1 month before EAS, a Marine will be offered the opportunity to extend his/her enlistment voluntarily for the duration of legal proceedings and any subsequent punishment. Inform Marines of the protection and benefits they will receive as members of the Marine Corps



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during the foreign criminal proceedings; e.g., counsel may be provided at Marine Corps expense, court costs (but not fines) paid, and an interpreter made available. In most countries, the Marine will remain in the U.S., vice foreign custody at least during the trial proceedings. Also inform Marines that they will remain subject to the UCMJ and may be subject to processing for administrative discharge. In some situations, advice of Article 27b, UCMJ, counsel will be provided when exposure to military criminal charges is possible. Advise the Marine that an election not to extend voluntarily his/her enlistment shall result in the following:

(a) Foreign authorities will be advised of the impending EAS and the inability of the Marine Corps to guarantee the Marine's presence after discharge.

(b) Foreign authorities will be offered custody of the Marine at a mutually agreed upon time immediately before EAS. If the foreign authorities desire custody, the Marine will be transferred to the foreign authorities at the agreed upon time.

(c) Assuming custody is accepted by foreign authorities, the Marine will be discharged from the naval service as soon as practicable, terminating any special considerations that the Marine would be entitled to if they were still a member of the Armed Forces. After such transfer of custody, the Marine's commanding officer will, at EAS, discharge the Marine and so notify the Navy JAG, the CMC (MMSR), and the U.S. Embassy or Consul.

(2) If the Marine elects to voluntarily extend his/her enlistment, such requests will be approved, and an appropriate page 11 entry will be made in the Marine's service record and acknowledged by the Marine.

\* (3) Should the foreign authorities, upon being notified of the Marine's impending EAS and the inability of the Marine Corps to maintain custody after discharge, state that the member need not be present within the jurisdiction and is not required nor desired to be available for any further criminal proceedings, the Marine should be returned to the CONUS for separation or discharge. In such cases, foreign authorities have in effect released the Marine Corps from any obligation to keep the Marine within the foreign jurisdiction or to make the Marine available for foreign authorities. The release should be in writing, if possible; if not, a memorandum for the record should be made to document the agreement.

(4) The foregoing policy does not apply to a Marine who is in the custody/confinement of foreign authorities before the approach of EAS. In such situations the provisions of reference (1) SECNAVINST 5820.4G, Status of Forces Policies, Procedures, and Information, would continue to apply and, except under extraordinary circumstances and only with approval of the Secretary of the Navy, the Marine would not be discharged while in custody/confinement of foreign authorities.

\*e. Alcohol or Drug Rehabilitation Treatment. A Marine on active duty who is found to be alcohol or drug dependent or is found to have an alcohol or drug abuse problem will not be involuntarily retained beyond the

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established separation date. The separating Marine will be advised to contact a VA facility for counseling and/or treatment after discharge.

1009. TRAVEL UPON SEPARATION

1. Detailed instructions relating to the travel of Marines upon separation from the service or release from active duty are contained in reference (u) JFTR and reference (n) OnLine MCTIM. Certificates in lieu of orders are not authorized.

2. When separated from active duty, Marines will be furnished the necessary forms and instructions, as follows, to enable them to file timely claims for personal/family Marine travel, upon completion of the travel:

a. Furnish the Marine a DD Form 1351-2, Travel Voucher or Subvoucher;

b. Furnish an envelope and provide instruction for the submission of claims after completion of travel;

c. Inform the Marine of the time limitations for completion of travel as provided in the JFTR, per reference (u);

d. Furnish a DD Form 1351-4, Voucher or Claim for Dependent Travel and Dislocation or Trailer Allowance, if entitled to family Marine transportation;

e. If entitled to travel and travel allowances to their home of selection from the last duty station, the JFTR requires that the Marine be:

(1) Informed of the time limitations covering completion of travel;  
and

(2) Informed that once a home is selected and travel allowances are received for travel to such home, such selection is irrevocable.

f. If returned from an OCONUS permanent duty station for separation in CONUS at an activity elected under paragraph 1006.5, inform the Marine of entitlement to travel allowances as specified in reference (u) JFTR, paragraph U5130-A3.

3. Counsel the Marine that all final travel claims must be submitted as follows:

a. Travel Completed Within 60 Days. Forward the final travel claim to Servicing Finance/Disbursing Office that supports the Marine's last active duty station.

b. Travel - All Other. Forward the final travel claim to Servicing Finance/Disbursing Office that supports the Marine's last active duty station.

c. At a minimum, two copies of the original orders, completed DD Form

1351-2, and DD Form 1351-4 (if appropriate) are required to settle the final travel claim.

d. To obtain an extension on filing a final travel claim and movement of household goods, forward a written request with appropriate justification, per current directives, to:

Headquarters, U.S. Marine Corps  
I&L LPD  
3000 Marine Corps Pentagon  
Pentagon Room 2E227  
Washington, DC 20350-3000

1010. ACCRUED LEAVE

\*1. Leave in conjunction with separation may be authorized under the provisions of reference (v) MCO P1050.3J, Regulations for Leave, Liberty, and Administrative Absence. The provisions that apply to the granting of annual leave apply equally to leave in conjunction with separation. Consequently, the commander authorized to grant leave is not bound to grant leave to a Marine who is separating, retiring, or transferring to the FMCR. Refer to Figure 1-2 for Sample Orders, Leave Awaiting Separation.

2. Terminal Leave. Terminal leave is accrued leave granted to both first-term and career Marines to ease the transition back to civilian life, but granted at the discretion of the commanding officer. Terminal leave is not an entitlement, it is a privilege. Terminal leave is not granted until all separation requirements both administrative and medical are complete. Terminal leave runs continuously from the first day of leave until the date of EAS or transfer to the Retired List/FMCR. The following policies apply in granting or requesting leave in conjunction with separation.

a. Leave is granted by the commander authorized to grant leave. Commanders will play an active role in ensuring that their Marines take adequate leave as a respite from the strenuous duties of military life and specifically warn Marines not to accrue large leave balances for the purpose of selling back leave upon separation.

\*b. Reference (v) MCO P1050.3J allows the commander to approve up to 90 days terminal leave at a CONUS command and up to 60 days if at an OCONUS command. A greater period of terminal leave may be authorized by the CMC(MMEA/MMOA) or CMC(RAM) for AR Marines, on a case-by-case basis.

c. No replacement will be provided for a Marine in a separation leave status.

d. If leave is desired in conjunction with a request for separation, the appropriate separation request should be submitted at least 120 days plus the amount of desired leave (to include PTAD) before the effective date of separation. When the request is submitted via unit diary, enter the planned detachment date (PDD) as part of the unit diary request for separation.

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Departure on terminal leave will not be authorized until the request has been approved by the CMC and all required administrative and medical actions incident to separation have been completed; e.g., completion of medical evaluation, transition classes, etc. Marines will be advised that should they subsequently incur a previously undiagnosed illness or injury, they may be directed to return to duty at their last permanent duty station for medical treatment and further processing.

e. Do not approve leave in excess of the number of days which the Marine can accrue before the end of current contract (ECC). Leave taken beyond that which can be earned is excess leave and results in nonentitlement to pay and allowances. Marines anticipating terminal leave in conjunction with separation must inform the CMC (MMSR) of the date and duration of the desired leave upon submission of the request. For separating officers, not career designated and not retirement eligible, provide this information to the CMC (MMOA-3). This ensures that the Marine is in receipt of orders before detachment. This is particularly critical when the Marine is OCONUS. The Marine will be transferred to the CONUS command responsible for separation.

\*f. Dual pay is authorized per reference (x) Title 5 U.S.C. section 5534 during separation leave for a Marine who has accepted civilian employment or employment with the Federal Government or the District of Columbia. Civilian employment and/or compensation is prohibited during periods of PTAD per reference (x) Title 5 U.S.C. section 2635.705.

g. Marines returning from OCONUS may be authorized leave in conjunction with separation from active duty upon return to the CONUS. In these cases, the commanding officer at the separation location may authorize leave, not to exceed 60 days upon completion of all checkout processing.

\* (1) Marines desiring to take terminal leave, will report to a separation center as close to, but not less than, 10 working days, plus the number of days for leave (greater than 60 days requires approval of the CMC (MMEA/MMOA)) or the CMC (RAM) for AR Marines, and PTAD, before the separation date.

(2) Marines who have no accrued leave or are selling back leave, will check into a separation center as close to, but not less than 10 working days, plus PTAD, before the separation date.

(3) Marines will not be assigned temporary additional duty (TAD) while awaiting outprocessing at a separation center.

\*h. Post-Deployment Mobilization Respite Absence (PDMRA) and terminal leave may be taken in conjunction with PTAD per reference (v) MCO P1050.3J.

\*3. Any Marine who is discharged under other than honorable conditions shall forfeit all accrued leave to his or her credit at the time of discharge according to reference (y) DoDI 1327.06, enclosure (2), paragraph 1.g.

\*4. Reference (y) DoDI 1327.06, enclosure (2), paragraph 1.g also directs the forfeiture of all accrued leave of those Marines who are discharged

before completing 6 months of active duty because of a failure to serve satisfactorily.

5. Accrued leave creditable upon separation may be liquidated by lump sum readjustment/payment subject to the provisions of reference (f) DoDFMR 7000.14-R. Marines separating, particularly those who have received prior-leave settlement, should determine the extent of their eligibility, if any, as a preliminary step to requesting terminal leave and a separation date.

\*1011. MEDICAL QUALIFICATION FOR SEPARATION AND MEDICAL EVALUATIONS

\*1. Reference (p) Manual of the Medical Department (MANMED), Chapter 15 and Articles 15-20 and 15-21 describe the medical evaluation requirements for separation and retirement. MANMED article 18-25, further describes Fitness to Separate and is the controlling Article of these three documents.

\*2. A Marine being separated from active duty (i.e., statutory or voluntary retirement/transfer to FMCR, discharge, expiration of enlistment, etc.) must receive a medical evaluation. A Marine evaluated by a medical evaluation board (MEB) incident to separation need not undergo further medical evaluation at the time of separation. A Marine should schedule a medical evaluation not less than 6 months before the effective date of separation to allow time for necessary medical treatment or disability processing. Evaluations are not required for Marines being discharged or retired upon the approved report of an MEB or the Secretary of the Navy Physical Evaluation Board (PEB). While every reasonable attempt will be made to provide a separating Marine with a final medical evaluation, it is recognized that there will be rare situations when that will be difficult or impossible to provide.

a. The medical evaluation of Marines convicted by (and in the hands of) domestic civil authorities may be conducted and reported by any of the following: a medical officer of the Armed Forces or other Federal Government agency; credentialed civilian contract physicians; penal institution physician; or, in the absence of the foregoing, a certificate signed by the official in charge of the penitentiary reflecting an opinion about the present state of health of the Marine to be discharged.

b. When a Marine is otherwise beyond the control of the Marine Corps, (e.g., in the hands of foreign authorities) the separating command will contact the holding authority and request an evaluation be conducted. The request for medical evaluation must be in writing and sent via certified mail, if available. If, after a reasonable amount of time (approximately 45 days) has elapsed, there is no response or a negative answer is received, the separating command will make a Page 11 entry in the Marine's service record book explaining the situation and why it was impossible to provide the evaluation. Page 11 will be similarly annotated for Marines separated under the conditions set forth in paragraph 6312. All documents and actions taken will be included in the service record book.

3. Deferral or Modification of Separation Date. Immediately notify the CMC

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(MMSR) if medical processing requires deferral of a CMC directed separation date. Include pertinent details. The Marine Corps Total Force System (MCTFS) will not allow commands to modify a CMC approved separation date. Once a CMC approved separation date passes a Marine is dropped from the rolls without CMC (MMSR) intervention.

\*a. Mandatory Separation and Approved Retirement. Mandatory separation (i.e., twice failed of selection, service limits, age limits, selection for early retirement) may only be deferred by the Secretary of the Navy for a commissioned officer. Only the CMC may defer other officer and mandatory enlisted separation or retirement dates. Medical modification of mandatory separation and approved retirement dates incur the following considerations:

\*(1) The Marine's condition is so serious that disability determination by the PEB is warranted or separation without further medical treatment will jeopardize the health of the Marine and treatment is not deferrable or elective. Examples are stage 4 cancer or a serious vehicle accident. These cases require: (1) a medical board report for referral to the PEB or letter from a doctor describing diagnosis, prognosis and likelihood of disability and (2) chain of command endorsements; or

\*(2) A MEB(R) directs referral to the disability system;

\*(3) A request for deferral of a statutory officer separation must be approved by the Secretary of the Navy before the effective date; otherwise the separation shall, by law, remain in effect. For all other officers and enlisted Marines, the CMC must approve the deferral before the effective date, or the separation shall remain in effect; and

\*(4) Marines within one year of mandatory retirement or with an approved retirement date incur a rebuttable presumption of fitness that a medical condition did not prevent completion of a military career. Medical modification of retirement will not be approved for completion of elective or deferrable treatment, temporary limited duty or for physical therapy, as the Marine's health is not in serious jeopardy, such procedures do not meet the above criteria and all medical treatment is readily available as a retired Marine.

\*b. Marines not eligible for retirement or facing mandatory separation may be retained for 60 days beyond EAS for completion of a separation medical evaluation and/or minor medical treatment. Retention beyond 60 days from disease or injury incident to service, not due to their own misconduct, for further medical treatment requires the Marine's consent, referral to a MEB per the temporary limited duty (TLD) process and notification of the CMC (MMSR-4). See Chapter 8 of this Manual. Commanders and medical providers should also consider the availability of post separation VA medical treatment.

\*c. Separation will not be effected when a Marine is undergoing local medical evaluation board proceedings or disability determination by the PEB.

d. When a separation is held in abeyance, the command should employ the Marine to the fullest extent possible, as constrained by the injury or illness.

\*4. MANMED article 18-5 provides for separation without the benefit of the Disability Evaluation System when separation proceedings may result in a characterization of service of other than honorable conditions. If a service related medical condition is sufficiently mitigating and amounts to a significant disability, the separation authority may direct disability processing, vice administrative separation. See paragraph 8308 in this Manual.

5. If a Marine is found unfit by the PEB, notify the CMC (MMSR-2) for retirements and the CMC (MMSR-3) for resignations. Disability separation or retirement orders will be directed by the CMC (MMSR-4) per chapter 8 of this Manual.

6. Orders are not required for medical evaluations except when travel is required. Request TAD orders from the appropriate command per reference (u) JFTR. Travel costs are chargeable to the command issuing the orders.

\*7. HIV Testing. In accordance with the Manual of the Medical Department, Article 15-20, HIV testing is no longer required at the time of separation.

\*8. Marines held beyond their approved separation date due to medical treatment or evaluation will be separated when they are found qualified.

#### 1012. RETIREMENT CEREMONY

\*1. An appropriate retirement ceremony is to be held within the capabilities of the command for Marines retiring (includes transfer to the FMCR, TDRL, and PDRL).

\*2. The commander will personally interview and discuss plans for the ceremony with the Marine.

3. While command resources vary, each command will ensure the preference of the Marine is fulfilled to the extent feasible.

4. Commanding officers should take appropriate steps to duly recognize the spouse of a retiring Marine (e.g., by the presentation of a spouse's letter of appreciation.)

5. Refer to chapter 18 of reference (z) MCO P5060.20, Marine Corps Drill and Ceremony Manual, for information on retirement parades.

6. A retirement certificate, letters, and USMC lapel pin are provided by the CMC (MMSR) for presentation upon retirement.

7. Reference (aa) National Defense Authorization Act of 1999 directed that commanders present a United States Flag to active duty Marines upon their transfer to the Fleet Marine Corps/Navy Reserve or retired list on or after

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1 October 1998. Reference (ab) National Defense Authorization Act of 2000 . directed that commanders present a United States Flag to reserve Marines upon their transfer to the retired list awaiting pay on or after 1 October 1999. Commanders are directed to use local operating funds to procure flags (NSN 8345-00-656-1435) .

CHAPTER 1

GENERAL INSTRUCTIONS ON SEPARATIONS



SECTION 1: ADMINISTRATIVE MATTERS RELATIVE TO SEPARATION

1101. ADMINISTRATIVE PROCEDURES AND REQUIREMENTS

1. General. This section covers administrative procedures and requirements for separating Marines. See Appendix C for the Separations Checklist.

\*a. Pre-separation Process. The transition process from active duty to civilian life is a complex undertaking. There are three transition assistance events that a separating/retiring Marine should complete before separation: (1) Attend a pre-separation interview, (2) Attend Transition Training, and (3) Completion of the Pre-separation Counseling Checklist (DD Form 2648 (Active Component) or 2648-1 (Reserve Component)). The installation Transition Program sponsors all pre-separation activities and transition classes.

b. Pre-separation Interview

\*(1) This requirement shall be met either by individual or group counseling sessions with the Unit Transition Counselor (UTC) or a designated individual. This requirement shall be provided when the Marine is within 12 months of EAS or within 24 months of retirement, but no later than 90 days prior to separation/retirement, regardless of whether or not a request for reenlistment has been submitted.

(2) The pre-separation interview shall consist of an explanation of the transition requirements for separating/retiring Marines (see Appendix C of this manual); timeframes for attendance and information about mandatory transition training; procedures for obtaining a copy of the Verification of Military Education and Training (VMET) document (DD Form 2586); completion of DD Form 2648, Section II, one through six; and a brief description of the Pre-separation Counseling Checklist (DD Form 2648) to include where a Marine may obtain additional information or resources, services and encouraging spouse attendance.

\*c. Transition Training

\*(1) Attendance is mandatory. Under reference (a) Title 10, U.S.C. 1142, all separating/retiring service members shall attend Transition Training within 12 months of separation or within 24 months of retirement, but no later than 90 days prior to separation/retirement, regardless of whether or not a request for reenlistment has been submitted. This requirement shall be met by either individual or group training sessions. It is strongly recommended that Marines attend Transition Training at least 180

days before separation. See DD Form 2648/2648-1 for the Pre-separation Counseling Checklist.

(2) This counselling shall provide specific, detailed information on all items listed on the Pre-separation Counseling Checklist (DD Form 2648/2648-1). Family members' attendance is highly recommended.

(3) The completed DD Form 2648/2648-1, signed by the separating/retiring Marine and a designated Transition official, and shall be forwarded to MMRP-20 for inclusion in the Marine's OMPF.

\* (4) If a Marine is stationed at another service's installation or is on independent duty, the Marine shall attend pre-separation activities, and transition training at the nearest DoD transition assistance office. Marines shall attend training no later than 90 days before separation/retirement. Unit commanders of Marines scheduled to deploy during this period are encouraged to have Marines attend transition/training briefs prior to deployment.

\* (5) Attendance is mandatory at the Disabled Transition Assistance Program (DTAP) for Marines referred to the Physical Evaluation Board (PEB). This briefing is designed specifically for service members who are awaiting a medical discharge. The main objective of the DTAP is to inform service members of disability entitlements and enroll in the appropriate VA vocational and educational programs. Attendance at DTAP does not eliminate the requirement for all Marines to attend regular Transition Training.

(6) Retiring Marines may attend specialized retirement transition assistance seminars (where available). The retirement seminars provide all of the same information as a regular seminar; however, a greater emphasis is placed on various topics that have a larger impact on retirees than those Marines who have completed one or two enlistments. These areas include, but are not limited to, financial planning, self assessment, medical briefings, and second career/job search assessments.

## 2. Separating Documents

\*a. DD Form 214. The DD Form 214 will be prepared by the organization having administrative control of the Marine. In those cases where a DD Form 214 was not prepared for a previous period of Marine Corps active duty for which a DD Form 214 was warranted, the organization having administrative control of the Marine will reconstruct the DD Form 214. Contact MMRP-10 if assistance is necessary to reconstruct the missing DD Form 214. All Marines who have served 90 or more continuous days of active duty from either the active or reserve component must be given their signed DD Forms 214, copies 1 and 4, on the earlier date of (1) the effective date of separation or (2) the date PTAD, PDMRA, terminal leave and authorized departure commence and the Marine permanently departs the command. This is to facilitate enrollment in the VA and other government benefits programs and to apply for civilian employment. All other copies will be distributed no more than 5 days after

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the EAS by the administrative unit as outlined in Appendix B. After the delivery of the DD Form 214, should subsequent events occur that invalidate the EAS, separation code, or characterization of service, for example, death, misconduct, etc., commands must cancel the DD Form 214 by issuing a DD Form 215 and distributing the copies immediately. See Appendix B Par. B003.

b. Honorable Discharge Certificate (DD Form 256). A discharge certificate will not be issued unless the Marine is being discharged or reenlisted after completion of the service obligation or through involuntary administrative separation proceedings (NOTE: General Discharge Certificate, DD Form 257, was canceled by DOD in August 2003 and shall not be used).

(1) Custody

(a) Discharge certificates shall be kept in the custody of the commander or a designated representative responsible for their safekeeping, accountability, and proper issue.

(b) When an organization is disbanded, unused discharge certificates shall be forwarded by registered mail to the Navy Cognizance I Supply System under instructions contained in the Introduction to NAVSUP Pub 2003.

(2) Preparation

(a) Discharge certificates will be prepared by the organization having custody of the service record.

(b) The character of discharge is determined per paragraph 1004.

(c) Regular and Reserve Marines separated under honorable conditions will receive the appropriate discharge certificate. Marines separated under general (under honorable conditions), other than honorable, bad conduct, and dishonorable conditions will not be issued a discharge certificate.

(3) Completion of the Discharge Certificate

(a) Name. Grade and full name in capital letters beginning with the first name. In the case of Reservists, no additional statement will be placed on the discharge certificate. The requirement for listing the middle name is waived for the Commander, Marine Forces Reserve (COMMARFORRES), a middle initial, if applicable, must be included. Do not indicate component (USMC or USMCR).

(b) Date. As shown in the following example: on the "10th" day of "June 2001."

(c) Signature. The normal signature of the officer who signs will be made on the top line. The bottom line will be completed as shown in the following example: "J. P. JONES, MAJOR, USMC."

(4) Delivery

(a) Every effort should be made to deliver honorable discharge certificates in person by an officer, preferably the commanding officer. Delivery should be accompanied by an expression of good wishes.

(b) In those instances where personal delivery cannot be made, the following action will be taken:

\*1. The commanding officer will mail the discharge certificate to the person concerned using first class mail with the return address:

Commander  
Marine Forces Reserve  
2000 Opelousas Avenue  
New Orleans, LA 70146-5400

2. Marines at Home Awaiting Results of a Physical Evaluation Board. Commanders will mail the discharge certificate to the Marine concerned using first class mail. Returned undelivered certificates will be forwarded to the Commander, Marine Forces Reserve as specified in the preceding paragraph.

(c) The discharge certificate will not be delivered to the Marine until a Security Termination Statement (OPNAV 5511/14) is completed, if such statement is required.

(5) Replacement of Lost or Destroyed Discharge Certificate

(a) Enlisted Marines. Upon request, the CMC (MMRP-10) will issue a replacement honorable discharge certificate.

\*Headquarters, U.S. Marine Corps (MMRP-10)  
2008 Elliot Road  
Quantico, VA 22134

(b) Officers. Upon request, the CMC (MMSR-3) will issue a replacement honorable discharge certificate.

\*c. In addition to the discharge certificate and DD Form 214, Marines receiving an honorable characterization of service will be presented the following items at separation:

(1) Honorable Discharge Lapel Pin (only worn with civilian attire).

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(a) Members of the Marine Corps Reserve who have served on continuous active duty for 30 days or more should be presented a lapel pin upon discharge.

(b) A supply of pins should be maintained locally and obtained through normal supply channels under NSN 8455-00-543-7096.

(2) Benefits Pamphlet. Each Marine separated honorably will be given a copy of "Federal Benefits for Veterans and Dependents."

\*(3) CMC Separation Package. In recognition of their true and faithful service, as determined by their commanding officer, Marines honorably separated at the end of their active service requirement and being transferred to the Inactive Ready Reserve, will be presented a letter from the Commandant and a Certificate of Appreciation. An appropriate ceremony will be held within the capabilities of the command. Units may requisition the CMC separation package with the Commandant's letter through the Marine Corps Publications Distribution System (MCPDS). The Publication Control Number is 50100565000.

### 3. Servicemember's Group Life Insurance (SGLI)

a. Marines on active duty entitled to full-time SGLI coverage can convert to Veteran's Group Life Insurance (VGLI) without proof of health by submitting the premium within 120 days following the date of separation from service. After 120 days, Marines have up to one year to apply for VGLI, but must complete and meet requirements for proof of health.

\*b. The Marine normally receives an application and notification of terminating SGLI coverage from the VA following separation. If an application is not received, request information by contacting the local VA office or writing to:

\*Office of Servicemember's Group Life Insurance  
80 Livingston Avenue  
Roseland, New Jersey 07068-1733

Or, call 1-800-419-1473.

4. Additional Counseling/Advice Before Separation. Before separation each Marine will be afforded pre-separation counseling. See Appendix C.

a. Career Advisory Interviews. Before discharge each Marine will be interviewed by a career planner and advised of:

(1) The benefits of continued service in the Marine Corps, if the Marine is considered eligible.

(2) The benefits of affiliation with the Marine Corps Reserve, if the Marine does not desire to reenlist.

(3) Procedures for applying to the nearest recruiting station, should reenlistment become an option at a later date. Recruiters have the latest information on prior service opportunities. Recruiters may refer individual cases to the CMC (MMEA-6) per reference (ac) MCO 1130.80A, Prior Service and Reserve Augmentation Enlistments Into the Regular Marine Corps.

(4) Ensure completion of any Marine Corps Exit and Retention Survey if one is currently being conducted.

\*b. Address of Commander, Marine Forces Reserve. Each Marine discharged and not reenlisted in the Regular Marine Corps will be informed that questions relating to Marine Corps Reserve service may be obtained from the address below. See reference (ad) MCO 1001.39K, Pre-Separation Counseling Concerning Marine Corps Reserve (MCR) Participation.

Commander  
Marine Forces Reserve  
2000 Opelousas Avenue  
New Orleans, LA 70146-5400

Or, call 1-800-255-5082.

c. Marines Not Recommended or Recommended But Not Eligible for Reenlistment.

\*(1) Marines not recommended, or recommended but not eligible, for reenlistment per reference (ae) MCO 1040.31, Enlisted Retention and Career Development Manual, will be counseled by their commanding officer. Record the following entry on page 11 of the service record when an RE-4 or RE-3 reenlistment code is assigned.

"I have been informed by my CO that I am (not recommended or recommended but not eligible) for reenlistment because (state reason) and will be/have been assigned a reenlistment code of (RE-4 or RE-3\_\_).

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(Signature of Marine)                      (Date)                      (Signature of Commanding Officer)"

NOTE: Also use this entry when the CMC assigns a reenlistment code of RE-1B and RE-1C; the specific reason will be provided.

d. Warning to Marines Not Eligible for Reenlistment. Every Marine discharged who is not eligible for reenlistment will be informed that concealment of prior service and subsequent fraudulent enlistment in any branch of the Armed Forces is punishable under the UCMJ.

e. VA Dental Treatment Eligibility. Public Law 97-35, the Omnibus Budget Reconciliation Act of 1982, limits the eligibility for outpatient dental treatment of service members being discharged or released from active duty to that provided by the VA. The law further requires that a written explanation of the new eligibility criteria be provided to service members

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discharged or released from active duty. This paragraph, 1101.4e suffices for that written explanation.

(1) The veteran must have served not less than 180 days of active duty to be eligible for dental treatment provided by VA.

(2) Application for VA dental treatment must be made within 90 days of discharge or release from active duty.

(3) The veteran will not be eligible for dental treatment if the DD Form 214 contains a statement that the veteran was provided a complete dental examination and all appropriate dental services and treatment were completed within 90 days before separation from active duty.

(4) Marines who have completed at least 180 days of service at the time of separation must be provided a written explanation of eligibility requirements. The Marine will sign this document acknowledging receipt and a copy will be filed on the document side of the service record. If the Marine refuses to sign the statement, the commanding officer should so note that fact on the statement and file it in the service record. Additionally, on block 18 (Remarks Section) of the DD Form 214, indicate that the Marine was counseled, but refused to sign an acknowledgement.

"I (Marine's Name), have been counseled concerning the VA dental treatment eligibility requirements. I understand that application for VA dental outpatient treatment must be made within 90 days of separation from active duty. I further understand that if a complete dental examination and all appropriate dental services and treatment were completed within 90 days of separation from active duty, I will not be eligible for VA dental outpatient treatment.

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Marine's Signature      Date"

(5) The statement pertaining to a Marine's dental examination and treatment within 90 days before separation from active duty will be made in block 18 of the DD Form 214 as prescribed in Appendix B.

f. BCNR/NDRB Advisory. Explain in writing (see Appendix D) the purpose and authority of the Board for Correction of Naval Records (BCNR) and the Naval Discharge Review Board (NDRB) to all Marines during separation processing, except when the separation is due to an immediate reenlistment. Include an explanation that a discharge under other than honorable conditions, resulting from a period of continuous unauthorized absence of 180 days or more, is a conditional bar to benefits administered by the VA notwithstanding any action by the NDRB. These requirements are a command responsibility and not a procedural requirement. Failure on the part of a Marine to receive and understand the explanation required by this paragraph does not create a bar to separation or characterization.

.g. Unemployment Compensation for Ex-Service Members (UCX Program). Marines who have completed their first term of service and are separated from active duty may be eligible for unemployment compensation. Additionally, Marines who have served in excess of 179 days and are separated because of medical disqualification, pregnancy, parenthood, hardship, service-incurred disabilities, convenience of the government, or denied further service may also be eligible. Entitlement to benefits is based upon the circumstances of separation. Final determination on applications rests with the state.

h. Selective Service Registration. Marines are automatically registered upon enlistment or commissioning. No action is required at separation.

\*i. G.I. Bill - Active Duty

(1) Marines who entered active duty after 30 June 1985 and enrolled in the new Montgomery G.I. Bill while in the service may be eligible for benefits.

\* (2) The Post 9/11 G.I. Bill provides financial support for education and housing to individuals with at least 90 days of aggregate active duty service on or after September 11, 2001, or individuals discharged with a service-connected disability after 30 days. You must have received an honorable discharge to be eligible for the Post 9/11 G.I. Bill.

(3) For further information, review the "Contact Us" section at [www.gibill.va.gov](http://www.gibill.va.gov) for a personalized response within 3-5 business days or contact a state VA office.

\*j. Permanent Mailing Address (PMA). The PMA of the Marine after separation is an address where mail can be delivered to, picked up by, or forwarded to the Marine. It also serves for potential mobilization and is a prerequisite for initiation/receipt of retired pay.

(1) Advise each Marine that failure to provide a valid PMA upon separation will result in IRS Forms W-2 and safekeeping bonds being returned to the Defense Finance and Accounting Service (DFAS) as undeliverable. To receive active duty W-2s contact DFAS at 1-888-332-7411.

Or, use the Internet address [www.dfas.mil](http://www.dfas.mil). Follow the links to the Marine Corps site.

\* (2) Retired Marines failing to maintain a current PMA with the DFAS risk termination of retired pay. Send address changes to CMC (MMSR-7) at:

Headquarters United States Marine Corps  
Manpower and Reserve Affairs (MMSR-7)  
3280 Russell Road  
Quantico, VA 22134-5103  
Or, call (800) 715-0968 Fax (703) 784-9834



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5. Government Property, Uniforms, and Clothing

a. Government Property. Recover before discharge all Government property held by or charged to a Marine. If a shortage exists, commanders will take appropriate action to determine responsibility per current instructions.

b. Uniforms and Clothing

(1) Specific guidelines and instructions apply for the uniform clothing of separating Marines and are contained in reference (af) MCO P10120.28G, Individual Clothing Regulations (ICR). Marines separated with a remaining service obligation (IRR personnel) must be counseled to maintain their uniforms throughout their obligation.

(2) Individual uniform clothing, less worn underclothing, gloves, and footwear, will be recovered from individuals discharged from the Marine Corps for reasons of unsatisfactory performance, misconduct, good of the Service, security, or sentence of court-martial regardless of characterization (ICR, paragraph 1501). Clothing to be recovered includes all uniform coats, raincoats, overcoats, liners, trousers, utility uniforms, caps and covers, all grade and service insignia, service stripes, and uniform buttons in the Marine's possession. Additionally, the following items will be recovered from women Marines: rain cap, cover, hood for raincoat, necktie, and scarves.

(3) Civilian clothing, supplemented by certain articles of uniform clothing, may be issued, when necessary, when the reason for separation requires recovery of clothing. Per reference (af), MCO P10120.28G (ICR) addresses funding and allowances.

(4) Wearing of the Uniform After Separation. Wearing of the uniform requires maintaining the high standards of reference (ag) MCO P1020.34G, Marine Corps Uniform Regulations and meeting the provisions specified in those regulations regarding authorization and occasion of wear.

(a) After Discharge. Marines whose character of discharge is honorable or general (under honorable conditions), except when discharge is for unsatisfactory performance, misconduct, good of the Service, or security may retain and wear their uniforms from the place of discharge to their home, within 3 months after the date of such discharge. The phrase "from the place of discharge to their home, within 3 months after the date of such discharge" refers to the period between the date of discharge and the date of arrival at their home and does not permit the wearing of the uniform after arrival home, even though the 3-month period has not expired. Marines who served honorably during a declared or undeclared war shall, when not on active service, be entitled, upon occasion of ceremony, to wear the uniform of the highest grade held during their war service.

(b) FMCRC and Retired Marines. These Marines are entitled to wear the prescribed uniform of the grade held on the retired list when wear of the uniform is appropriate under the provisions of reference (ag) MCO P1020.34G.

6. Pay Accounts

a. The disbursing officer maintaining the Marine's account will be provided with a properly completed NAVMC Form 11060, Separation/Enlistment Voucher Within 1 working day of a properly reported Drop Entry OR TTC 378. See Defense Finance and Accounting Service, Kansas City Center Publication (DFAS-KC 7220.31R), Marine Corps Total Force System, Automated Pay Systems Manual DFAS-KC 7220.31R, MCTFS, reference (ah) OnLine DFAS APSM and the reference (n) OnLine MCTIM.

b. All separating Marines must request Separations Travel VIA their supporting Administrative Office. The Disbursing Officer maintaining the Marine's account will be provided with a properly completed NAVMC Form 11060, Separation/Enlistment Voucher via DTMS, requesting a separation travel advance within 10 working days before member's and/or member's departure date. All approved payments shall be made via EFT to the member's active duty Direct Deposit Account.

c. An enlisted Marine discharged from brig to parole, appellate leave, or expiration of sentence, discharged under other than honorable conditions, fraudulent or voids enlistment, and who would be otherwise without funds to meet immediate needs, upon discharge shall paid Discharge Gratuity, a sum not to exceed \$25 or such portion thereof as, together with other funds available to the Marine concerned, totaling \$25. For detailed instructions refer to reference (f) DoDFMR 7000.14-R, Paragraph 350601, Table 35-11.

7. Closing Out the Service Record

a. Refer to reference (i) MCO P1070.12K (IRAM) for the close out of service and health records.

b. To avoid confusion and delay in the final pay settlement, no financial transfers or allotments will be made or authorized after a Marine's pay accounts have been closed immediately before separation.

1102. AUTOMATION OF RETIRED PAY ACCOUNTS

1. Background. During July 1994, the Marine Corps implemented the Defense Retiree and Annuitant Pay System (DRAS). This is a DoD mandated consolidation of all retiree and annuitant pay accounts to a single DoD system. To support this initiative, extensive modifications to the Marine Corps Total Force System (MCTFS) were necessary. Separation data is exchanged between the CMC, the parent command and DFAS by using the unit diary system in MCTFS.

2. Overview. Retired pay data to DFAS-CL is triggered by a command running a successful unit diary "drop" entry. The CMC approvals are generated to the parent command and responsible order writing unit exclusively via the unit diary. See Appendix E for detailed procedures. Naval messages are not issued granting authority to release Marines for routine separation. A diary advisory is generated to the command reporting unit code (ARUC) with the

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responsibility to issue orders and an information copy is provided to the reporting unit code (RUC). Reporting units must coordinate with the higher headquarters (ARUC) to ensure timely issuance of orders. Compliance with established directives will minimize or eliminate late payment of retired pay. Proper and timely drops are critical to the success of the process.

3. Summary. A primary objective in the DRAS implementation and the MCTFS modifications was to decrease the administrative burden of field commands. Additionally, the modifications were developed to streamline processing and decentralize execution of separations once approved. See Appendix E for further details.

\*1103. NOTIFICATION TO IMMIGRATION AND NATURALIZATION SERVICE. Provisions are made by law to revoke the citizenship of naturalized citizens discharged under other than honorable, bad conduct, or dishonorable characterization. The commanding officer shall immediately forward to the CMC (SJA) a report of such a case so that the required certification may be prepared and transmitted to the Immigration and Naturalization Service (INS) and Department of Justice upon the Marine's discharge. This report will include the reason for discharge and the date. The report will also include any information in the Marine's service record with respect to naturalization. The INS is responsible for the institution of proceedings for the revocation of citizenship in these cases.

1104. SEPARATION OF ALIENS

1. Commanders are authorized to discharge an alien upon completion of obligated active service or active Reserve service, upon the written request of the Marine concerned, provided the Marine indicates that immediately after discharge the Marine will establish permanent residence in their native country, or country other than the United States.

2. Aliens who have fulfilled their active duty obligation and who signify their intent to establish permanent residency outside the United States may be retained in an obligatory status at their request.

3. When Marines who are not citizens of the United States are to be separated within the United States or its territories or possessions, the nearest district office of the INS shall be notified of such pending separation and the prospective date. Submit such notification in sufficient time to permit the immigration authorities to take such action as they may deem appropriate before the date on which the Marine is to be separated.

4. Reference (ak) Title 8 U.S.C. section 1439 requires expeditious naturalization of a permanent resident alien upon completion of 3 continuous years of active service in the Armed Forces of the United States, provided the alien:

a. Has been lawfully admitted to the United States for permanent residence;

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- b. Was separated from the military service under honorable conditions;
- c. Files a petition while still in the military service or within 6 months after the termination of such service; and
- d. Can comply in all other respects with the provisions of reference (ak) Title 8 U.S.C. section 1439, except that:

(1) No period of residence or specified period of physical presence in the United States or in the State in which the petition for naturalization is filed is required; and

(2) Residence within the jurisdiction of the court is not required.

\*5. In order to not jeopardize their eligibility for naturalization, permanent resident aliens serving on an enlistment or tour of extended duty of 3 years or more will not be discharged solely for the Convenience of the Government under the provisions of any early release program until completion of 3 years of service. Further, the above provisions will be explained to any alien who applies for discharge for hardship before completion of 3 years of service. The prescribed 3-year period may be satisfied by a combination of active duty and inactive duty in a Reserve status. Notwithstanding the foregoing, an alien desiring discharge for the preceding reason (i.e., hardship or for the Convenience of the Government under the provisions of an early release program) must include the following statement in the request for discharge:

"I understand that requesting discharge before completion of 3 full years of service may jeopardize my eligibility for expeditious naturalization under reference (ak) Title 8 U.S.C. section 1439. However, understanding the above, I request early discharge."

6. The above policy should not be construed as giving aliens an entitlement to retention in service for at least 3 full years regardless of their military records. Adequate provisions are contained in this Manual for the separation of Marines whose performance of duty or conduct does not justify their continued retention in the Service.

1105. DISCHARGE ADJUDGED BY SENTENCE OF COURT-MARTIAL

1. The word "discharge" as used in this paragraph refers to punitive (dishonorable and bad conduct) discharges adjudged by sentence of a court-martial.

2. It has been, and continues to be, Department of the Navy's (DON) policy that convening and reviewing authorities should approve discharges only in those cases where a Marine's record and conduct show conclusively that he or she is not fit for retention, and where retention is clearly not in the Government's interest.

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3. The appropriateness of a punitive discharge as the sentence, or as part of the sentence, of a court-martial is discussed in the reference (c) Manual for Courts Martial (MCM), Rules for Court Martial.

4. Personnel retained beyond EAS serving a sentence or awaiting appellate review of a court-martial may be discharged, see paragraph 1008.1c(3).

5. Except when the discharge has been suspended and not vacated, the transfer of Marines sentenced to discharge who are serving OCONUS will be governed by the following instructions:

a. When an enlisted Marine sentenced to discharge is serving OCONUS, whether it is ashore or aboard ship, transfer will be made to the Marine Corps activity within the CONUS nearest the port of debarkation, for retention or redesignation of a place of temporary custody or confinement per current directives. Marines who are permanent residents of Alaska or Hawaii and serving in their respective state should not be returned to the CONUS.

b. Unless appellate leave has been granted and the action required by reference (v) MCO P1050.3J completed, a Marine sentenced to a punitive discharge will not be transferred to the CONUS until a review has been completed by the officer exercising general court-martial jurisdiction, the promulgating order issued, and service record entries made reflecting the action by the officer exercising general court-martial jurisdiction.

c. Transfer Marines to the CONUS after appropriate entries have been made in the service record to show the action taken by the convening authority when, pursuant to the reference (r) JAGMAN 5800.7F, the record of trial is submitted directly to the Office of the Judge Advocate General of the Navy without review by an officer exercising general court-martial jurisdiction.

d. When transfer to the CONUS is directed, forward a report to the Judge Advocate General of the Navy per the latest version of the MCM, with a copy to the CMC (SJA). Indicate the type of court-martial, sentence as approved at the time of transfer, the name of the activity to which the Marine is transferred, and the estimated report date to the new activity. Upon the Marine's arrival at the new activity, the commander will immediately advise the Judge Advocate General of the Navy by naval message with a copy to the CMC (SJA). When a different activity or disciplinary command is redesignated as the place of temporary custody or confinement, this will be set forth in the report and the date of transfer will be stated.

e. No punitive discharge shall be effected OCONUS, except as directed by the Secretary of the Navy or the CMC.

6. When an enlisted Marine serving at a station within the CONUS is sentenced to discharge and the discharge has not been suspended for a stated number of months to permit the Marine to continue in the service after satisfactorily serving during a probationary period, the Marine will be retained at the place of trial or transferred to another activity or

disciplinary command, per regulations governing designation of places of confinement. When a Marine is transferred to another station or to a disciplinary command, forward a report of the transfer to the Judge Advocate General of the Navy, with a copy to the CMC (SJA). See the current version of the MCM.

7. When an enlisted Marine serving within the CONUS attached to a vessel or organization destined for a transfer to foreign duty has been sentenced to discharge, and the discharge has not been suspended for a stated number of months to permit the Marine to continue serving satisfactorily during a probationary period, the Marine shall be transferred to a disciplinary command if the established criteria for transfer to such a command is met; otherwise, transfer the Marine to the Marine Corps activity nearest to the port of departure before sailing. Report the transfer per paragraph 1105.6.

8. Where the execution of a portion of a sentence which adjudged a discharge is suspended subject to a probationary period, the suspension may be vacated pursuant to the procedures in the MCM. Commanders must give careful consideration to reports of offenses committed by Marines serving in such status and to undertake proceedings for the vacation of suspension of the sentence only where it is established by the record that such action is appropriate and in the best interest of the Marine Corps.

GENERAL INSTRUCTIONS ON SEPARATIONS

SECTION 2: CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214); CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY WORKSHEET (DD FORM 214WS); CERTIFICATE OF RELEASE OF DISCHARGE FROM ACTIVE DUTY CONTINUATION SHEET (DD FORM 214C); AND CORRECTION TO DD FORM 214, CERTIFICATE RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 215)

\*1200. Forms will be prepared using the Document Tracking and Management System (DTMS) in Marine OnLine (MOL). Where DTMS is not available for more than 48 hours, forms may be prepared using the eight-part paper form e.g. DD FORM 214, AUG 2009, or an approved electronic form software. When using DTMS, all accountability, control, formatting, and permissions will be accomplished within DTMS.

1201. GENERAL

1. DD Form 214WS. This is a single sheet standard form to aid the separating activity in preparing the DD Form 214. Its use is not mandatory; if used, it may be retained for not more than 6 months at the discretion of the separating activity.

2. DD Form 214. This is a multicopy standard form designed to provide:

a. The Marine Corps and other organizations within the DoD with information relating to a Marine or former Marine for administrative purposes.

b. The recipients with a record of their active service with the Marine Corps at the time of transfer, release or discharge, and changes in status or component while on active duty; and

c. Appropriate governmental agencies with official information required in administering Federal and State laws applicable to Marines who have been discharged, otherwise released from active duty, transferred to a Reserve component of the Marine Corps, or retired.

\*3. DD Form 214C. This is a multicopy standard form to be used as a continuation sheet, if required, and will reference information from Blocks 1 through 3 and the appropriate block(s) being continued.

4. DD Form 215. This is a multicopy standard form for use by:

a. The separating activity to provide the separating Marine information not available when the DD Form 214 was prepared and delivered. The separating activity will furnish the separated Marine with a DD Form 215 for items not completed on the DD Form 214 at the time of the Marine's departure from the separation site. A DD Form 215 will be provided without a request from the separated Marine. See Appendix B.

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\*b. Once a Marine has received their DD Form 214 and has departed from the separation site, only the following entities may issue a DD Form 215: the separating activity, up until the Marine is separated (dropped from the rolls); COMMARFORRES, while the Marine is in the IRR; CMC (MMRP-10) or Marine Corps Liaison Officer at the National Personnel Records Center (NPRC) for all others.

\*5. DoD has authorized use of computer-generated DD Forms 214 and 215 and, via the Headquarters Marine Corps Forms Manager, HQMC has disseminated Portable Document Format (PDF) versions to forms management officers throughout the Marine Corps with guidance for the use of these forms.

\*1202. OCCASIONS, PREPARATION, DELIVERY, AND DISTRIBUTION

1. The care in properly preparing this document cannot be over emphasized. This is the most important document of service a Marine possesses. Marine Corps activities effecting separations will ensure that every Marine, excluding those listed in paragraph 1202.4, separated from a period of active duty is issued a completed DD Form 214. See Appendix B for detailed instructions on completion of DD Forms 214 and 215.

\*2. Events requiring active duty eligibility and DD Form 214 issuance are calculated on a "day for day" basis to include the 31st day of those relevant months. Use a Julian calendar if necessary to determine eligibility. See paragraph 1401 for additional guidance on creditable service computation.

\*3. DD Form 214 Occasions

a. Release from Active Duty Service. A DD Form 214 will be issued to each Marine, except as directed in paragraph 1202.4, upon separation from a period of active duty. This includes:

(1) Separation from a period of actual (de facto) or apparent (de jure) service;

(2) Release from a voided minority enlistment;

(3) Separation for cause or for physical disability regardless of the length of time served on active duty; and

\*(4) When service was required by the Secretary of the Navy for shorter periods.

\*b. Release of Reservists from a Period of Active Duty Service. A DD Form 214 will be issued as soon as possible upon impending release from active duty in order to facilitate administrative processing in the following instances:

(1) Separation from an initial or subsequent period of Reserve Incremental Initial Active Duty for Training (IADT);



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\* (2) Separation from a period of active duty, active duty for training (ADT), full-time training duty, or Active Duty Operational Support of 90 days or more, calculated using a Julian (day-for-day) calendar per paragraph 1202.2 above;

\* (3) When required by the Secretary of the Navy for shorter periods;

(4) Separation from active duty while in the Active Reserve (AR) Program; and

\* (5) Separation when ordered to active duty for a contingency operation regardless of the number of days served on active duty.

c. Continuation of active duty when status or component changes for the following reasons:

(1) Discharge from the Marine Corps for immediate enlistment into a Reserve component of the Armed Forces;

(2) Termination of enlisted status to accept a permanent appointment to warrant or commissioned officer grade;

(3) Termination of Reserve component status to integrate into a Regular component of the Armed Forces;

(4) Termination of temporary appointment to accept a permanent warrant or commissioned status in the Marine Corps or Marine Corps Reserve; and

(5) Termination of an officer appointment in the Marine Corps to accept appointment in another branch of the Armed Forces.

\* (6) Upon retirement or transfer to the FMCR and immediate commencement without any break in service for a period of retired-retained on active duty.

\* (7) When retained or recalled retirees are reverting to inactive status on the retired list regardless of the period of active duty served.

d. The DD Form 214, once issued, will not be reissued except:

(1) When directed by appropriate appellate authority, executive order, or by direction of the Secretary of the Navy;

(2) When it is determined by the CMC that the original DD Form 214 cannot be properly corrected by issuing a DD Form 215 or when the correction would require issuing more than two DD Forms 215; or

(3) When two DD Forms 215 have been issued and additional correction is required.

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e. When circumstances require the issue or reissue of the DD Form 214, an appropriate entry stating the fact and the date of such action will be recorded in item 18, Remarks, unless specifically denied by the authority referenced in subparagraph 1202.3.d.

4. DD Form 214 will not be issued to:

a. Marines discharged for the purpose of immediate reenlistment in the Marine Corps and remaining on active duty;

\*b. Marines found disqualified upon reporting for active duty and who do not perform duties in accordance with orders;

c. Marines whose active duty, active duty for training, or AR duty is terminated by death;

d. Marines released from a period of less than 90 days active duty for training, except as specified in subparagraph 1202.3.b.

e. Enlisted Marines receiving temporary appointment to warrant or commissioned officer grade;

f. Marines who have temporary officer status terminated and remain on active duty as an enlisted Marine;

g. Personnel removed from the TDRL;

\*h. Enlisted Reservists released from a period of Active Duty Operational Support or active duty for training of less than 90 days or discharged from the Reserve component status to integrate into an Active component unless otherwise directed under paragraph 1202.3.b. Although not issued a DD Form 214, such Reservists will be assigned a reenlistment code from Appendix I for record purposes (e.g., page 11 entries, discharge letters, statements of service) and MCTFS entries per PRIUM;

i. Reserve Officers released from a period of less than 90 days of active duty or active duty for training.

\*j. Marines separated or discharged who have been furnished a prior edition of the DD Form 214, unless the form is in need of reissuance for some other reason.

\*5. Document Preparation

\*a. The DD Form 214 is accepted as an official record of the Marine's military service by the VA and the other agencies to which copies are furnished. Care must be exercised in the preparation of the form to ensure each copy is completely legible.

\*b. Avoid abbreviations. Civilians, who may not be familiar with military terms, will read the form and may fail to understand the meaning.

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\*c. If more space is required for entering information, entries may be continued using block 18 of the form or on DD Form 214C, the Continuation Sheet. Documents prepared using the DTMS in MOL will automatically create the DD Form 214C. If no detailed information is applicable for an entry, enter "None." When information for one or more of the items on the DD Form 214 is not available and the document is issued to the Marine, the applicable block(s) will be annotated "See Remarks." In such cases, block 18 will contain the entry "DD Form 215 will be issued to provide missing information." The same procedure applies for a release from a period of active duty for training of 90 days or more, or for Marines being separated from active duty for training under a Reserve Special Enlistment Program as specified in subparagraph 1202.3.b. DD Form 214C, the Continuation Sheet, if required, will reference: the DD Form 214 being continued, information from blocks 1 through 3, and the appropriate block(s) used. Enter "CONT" in block 18 and ensure a legible DD 214C with the Marine's signature, date, and the authorizing official's signature is placed with each copy of the DD Form 214.

\*d. The form contains spaces for all items deemed appropriate; therefore, no additional entries will be made unless specifically authorized by the CMC (MMSR).

\*e. All entries apply to the current continuous period of active duty service, except where specifically noted otherwise.

\*f. In the event that a DD Form 214 is lost, destroyed, or requires alteration or correction, the following applies:

\*(1) Any unavoidable corrections or changes made in the unshaded areas of the form during the preparation shall be neat and legible on all copies and initialed by the authenticating official. No corrections will be permitted in the shaded areas. Once copy 1 and copy 4, if applicable, have been delivered to the Marine, no corrections may be made to any other copies of the DD Form 214 by the separation activity. Corrections at this point will require issuance of a DD Form 215.

\*(2) The Marine will be cautioned not to make changes or alterations to the form; to do so will render it void. If the Marine discovers an error after receipt of the form and after departure from the separation site, or distribution of copies has been made, corrections or changes to blocks 1 through 29 will be made by the activity having administrative control of the SRB/OQR/ESR. Changes will be made using the DD Form 215. However, In the event an administrative error is made in the characterization of a Marine's discharge, or a discharge upgrade has been approved through proper channels, the DD Form 214 shall be cancelled and a new one issued. Requests for correction to DD Form 214 will be addressed to:

Headquarters, U.S. Marine Corps (MMRP-10)  
2008 Elliot Road  
Quantico, VA 22134-5030

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Requests should include the Marine's full name, grade, Electronic Data Interchange Personal Identifier (EDIPI), and effective date of separation.

\*(3) Requests for replacing a lost or destroyed DD Form 214 will be handled by the activity having administrative control of the SRB/OQR/ESR.

\*g. Special Follow-Up Procedures. DoD instructions require that each item of the DD Form 214 be completed before delivery to the Marine. In cases where any item cannot be completed at the time of delivery, the separating activity must establish follow-up procedures to obtain the missing data and issue a DD Form 215 to the Marine at the earliest possible date. DoD policy requires the Marine Corps separating activity to issue a DD Form 215 to complete any item not available at the time of separation without a request being generated by the separated Marine.

\*6. Delivery and Distribution

\*a. The original signed DD Form 214, copies 1 and 4, will be physically delivered to all Marines on the earlier date of (1) the effective date of separation or (2) the date PTAD, PDMRA, terminal leave and authorized departure commence and the Marine permanently departs the command. Early delivery facilitates enrollment in the VA and other government benefits programs and to apply for civilian employment. All copies must be distributed no later than 5 days from EAS. Copy 4 contains the statutory or regulatory authority, reenlistment code, separation program designator (SPD) code, and narrative reason for separation.

\*b. The Commander must ensure that copies 2, 3, and 5 through 8 of the DD Form 214 are distributed within 5 days of the effective date of separation and that each copy is forwarded to the appropriate unit or organization per Appendix B. After the delivery of the DD Form 214, should subsequent events occur that invalidate the Marine's EAS, separation code, or characterization of service, for example, death, misconduct, etc., commands must correct or cancel the DD Form 214 by issuing a DD Form 215 and distributing the copies immediately. See Appendix B paragraph B003.

\*(1) Failure by the separating activity to make prompt and correct distribution of each copy of the DD Form 214 results in a delay of services for deserving Marines from the VA, potential employers, and financial institutions.

\*(2) The VA may require that a certified true copy 4 of DD Form 214 must be submitted with any application requesting veteran benefits.

\*(3) The decision to release this information to the VA rests with the Marine; however, providing this information will expedite the VA process of verification, eligibility determination, and approval of benefits.

\*(4) Prior to Marines being issued their DD Form 214, a statement of service (SoS) may also be provided as an interim working document. The SoS allows Marines to document military service when seeking a loan or to provide information to various government and civilian agencies as needed. Ensure

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that the following statement is contained in the remarks section of the SoS:  
"The above information is current as of (insert date prepared). The addressee is not actually scheduled for release from active duty until (insert date of separation)."

\* (5) Mailing of medical and dental records

(a) Marines who are being transferred to the Temporary Disability Retired List (TDRL) the medical and dental records are sent to CMC (MMRP-16) at the following address:

Commandant of the Marine Corps  
Code MMRP-16  
2008 Elliot Road  
Quantico, VA 22134-5030

(b) For all other Marines who are discharged, retired, or separated the medical and dental records are sent to the Veterans Affairs, Records Management Center at the following address:

Dept of Veterans Affairs  
Records Management Center  
P.O. Box 5020  
St Louis, MO 63115-8950

\*1203. ACCOUNTABILITY AND SAFEGUARDING THE PHYSICAL COPIES OF DD FORMS 214 AND 215

\*1. DD Forms 214WS, 214, 214C, and 215 are official documents used by civilian and governmental agencies for determination of VA benefits, reemployment rights, unemployment insurance, etc.

\*2. The following control and accounting features will be implemented by commanders or IPAC Directors of each unit or activity authorized to requisition, store, and issue DD Forms 214WS, 214, 214C, and 215.

\*a. The Commanding Officer or Officer in Charge shall:

\*(1) Establish written procedures and assign an E7, GS7 equivalent or above for accountability of forms held and/or issued. Document in writing the non-availability of a person in the required grade if assigning a lower grade individual who shall not be lower than an E5 or GS5 equivalent.

\*(2) DTMS in MOL will assign, log, and maintain the serial number when the DD Form 214/215 is produced in DTMS. When DTMS is not used, assign a serial number for the DD Form 214/215 and maintain these serial numbers in either an electronic or paper log. The serial number must consist of three elements: command UIC, four-digit calendar year, and at a minimum, a four-digit consecutive number, e.g. "SER: 54883-2002-0001." The log will consist of, at a minimum, the DD Form 214/215 serial number, the name of the Marine

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being discharged/separated, effective date of discharge or separation, full name, EDIPI, and printed name of preparer. Per reference (a) SECNAVINST M-5210.1, the log will be maintained at the activity for two years. Commands are authorized to add additional elements as desired.

\* (3) Ensure all obsolete forms are destroyed;

\* (4) Ensure all blank or partially completed forms are destroyed;

\* (5) Ensure reproduced copies of the DD Forms 214, 214C, 214Ws and 215 are destroyed;

\* (6) Ensure blank forms used for educational or instructional purposes, and forms maintained for such use, are clearly voided in an unalterable manner (i.e., over stamped "FOR INSTRUCTIONAL PURPOSES ONLY").

\* (7) Ensure effective permission management in DTMS and appropriate computer access and password protection for form creation software.

\* (8) Add additional security/accounting elements as deemed necessary.

\*b. No forms will be discarded intact, but shall be properly destroyed.

\*c. The commander or officer in charge will monitor and periodically review the above procedures to ensure compliance. Additionally, the above procedures are subject to review and evaluation for compliance by the Inspector General of the Marine Corps (IGMC).

1204. SPONSORSHIP OF THE DD FORM 214/215 SERIES. The Under Secretary of Defense, Personnel and Readiness (USD (P&R)) sponsors DD Forms 214, 214WS, 214C and 215. Each service is required to publish preparation and distribution instructions under the guidance of DoD. Deviation in format or modification of content is not authorized without prior approval by the DoD. Requests to add or delete information will be coordinated with the other military services in writing, before submission to the USD (P&R). Submit requests to modify these forms to the CMC (MMSR-3).

\*1205. RESPONSIBILITY FOR ASSIGNMENT AND SAFEGUARDING SEPARATION PROGRAM DESIGNATOR (SPD), NARRATIVE REASON, AND EXPLANATION.

\*a. The standard separation codes for officer and enlisted personnel were developed under the direction of the DoD and are published in the Online Codes Manual. Forward requests for additions, deletions, or modifications to SPDs to the CMC (MMSR-3).

\*b. With the exception of official government business, only the individual being separated or discharged is entitled access to his/her SPD code and narrative reason. Any list(s) of SPD code with narrative reason and/or explanation will be marked "For Official Use Only", will be provided appropriate security and limited access for official use only, and will not be provided to any organization or individual outside of the Department of Defense.

CHAPTER 1

GENERAL INSTRUCTIONS ON SEPARATIONS

\*SECTION 3: ENTITLEMENT TO SEPARATION PAY AND BENEFITS

1301. PURPOSE. To prescribe policy and procedures for award of separation pay upon involuntary separation, discharge, or release from active duty, as authorized by reference (a) Title, 10 U.S.C. 1174 and reference (ai) DoDI 1332.29.

\*1302. CANCELLATION. This section supersedes SECNAVINST 1900.7G. The SECNAV Instruction was cancelled and those authorities delegated to DC, M&RA.

1303. APPLICABILITY. This instruction applies to Marines involuntarily separated from active duty on or after November 1990. Reserve Marines separated from inactive duty are not eligible for separation pay under reference (a) Title 10, U.S.C. 1174.

1304. DEFINITIONS. The phrase "involuntarily separated, discharged, or released from active duty" includes separation under conditions wherein the Marine is released from active duty at any time prior to the completion of a stipulated period of active service or tour of active duty and not at the Marine's own request, or denied reenlistment or extension on active duty. Examples include release due to Reduction In Force (RIF) or a failure of selection for promotion, and release of Reserve Marines not accepted for an additional tour of active duty for which they volunteered.

a. The phrase "not accepted for an additional tour of active duty for which they volunteered" refers to career Marines who, prior to completing a tour of active duty or a stipulated period of active service, or upon notification of the intent to separate them from active duty, volunteer to remain on active duty for an additional tour but are not accepted.

b. The phrase "involuntarily separated" does not apply to Marines (enlisted or officer) at the end of an initial period of obligation, even if the Marine requested re-enlistment (enlisted) or career designation (officer).

1305. POLICY. Separation pay is intended to assist Marines who are involuntarily separated in returning to civilian life. It is intended to encourage the pursuit of a military career through the assurance that those unable to remain on active duty until eligible for retired or retainer pay receive compensation to ease their re-entry into civilian life. Separation pay will be paid to Marines involuntarily separated from active service and to those not accepted for an additional tour of active duty for which they volunteered.

1306. RATES OF SEPARATION PAY. The amount of separation pay for an individual shall be calculated as follows:

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a. Full separation pay is 10 percent of the product of (a) the Marine's years of active duty military service and (b) 12 times the monthly basic pay to which the Marine was entitled at the time of discharge or release from active duty. The formula is: Full Separation Pay = .1(a x b)

b. To determine years of active duty military service for use in computing separation pay, count each full year of creditable service as a year and count each full month of service of creditable service as 1/12 of a year. Disregard any remaining fractional part of a month.

c. Periods for which a Marine previously has received separation pay, severance pay, or readjustment pay may be counted for eligibility purposes (to ensure the Marine meets the minimum required years of active duty), but may not be used in the multiplier to determine the amount of separation pay for subsequent separation.

d. Do not count periods of unauthorized absence, confinement awaiting trial that resulted in conviction, time lost through disease or injury due to misconduct, or service as a midshipman or cadet at a service academy or in an NROTC program.

e. Half separation pay is one-half the amount computed under paragraph 1306a.

1307. MARINES ELIGIBLE FOR FULL SEPARATION PAY (NON-DISABILITY). Reference (a) Title 10, U.S.C. 1174 and reference (ai) DoDI 1332.29 govern separation pay. Marines involuntarily separated from active duty whose separation is characterized as honorable or general and who meet the criteria in a and b below, except those excluded in paragraphs 1308 and 1309, are entitled to the full rate of separation pay.

a. Minimum service

\*(1) Officers on the active duty list must have completed at least six years of active duty service prior to separation. The qualifying years do not have to be continuous; however, the last phase of the qualifying term must end immediately before the separation, discharge, or release.

(2) Regular enlisted Marines must have completed at least six years of active duty service prior to separation. The qualifying years do not have to be continuous; however, the last phase of the qualifying term must end immediately before the separation, discharge, or release.

\*(3) Reserve officers and reserve enlisted Marines not on the active duty list when separated must have completed at least 6 years of continuous active duty service immediately prior to separation. A period of active duty service is continuous if any break in service does not exceed 30 days.



b. Reserve obligation. The Marine must enter into a written agreement to serve in the Ready Reserve for a period of not less than three years following separation from active duty. A Marine who enters into this written agreement and who is not qualified for appointment or enlistment in the Ready Reserve need not be enlisted or appointed to be considered to have met this condition of eligibility for separation pay. If the Marine has a service obligation remaining at the time the Marine is separated from active duty, the three-year obligation will begin on the day after the date on which the Marine completes this obligation.

\*c. Enlisted Marines fully qualified for retention, but denied reenlistment or continuation on active duty due to established promotion or high year tenure policies are eligible for full separation pay. It must be understood that due to manpower constraints, an individual Marine with an otherwise competitive record, may be denied reenlistment due to lack of allocations in a particular skill or grade. These Marines will not be deprived of full separation pay. Likewise, Marines twice failed of selection for promotion to the next higher grade may be granted full separation pay.

\*d. Only the DC, M&RA or his designated representatives may deny separation pay to Marines meeting the criteria in paragraphs 1307 or 1308.

1308. MARINES LIMITED TO HALF SEPARATION PAY (NON-DISABILITY)

a. Marines whose separation is characterized as honorable or general, and who are involuntarily separated from active duty through denial of reenlistment/continuation, or separation in lieu of board action, are eligible for half separation pay under the following specific conditions:

(1) The Marine is not fully qualified for retention due to:

(a) Expiration of service obligation.

(b) Selected changes in service obligation.

(c) Drug abuse rehabilitation failure.

(d) Alcohol abuse rehabilitation failure.

(e) Retention not consistent with the interest of national security.

(f) Convenience of the Government.

\*(g) Physical Fitness Test, Combat Fitness Test and Weight Control failure, or for officers being separated for substandard performance of duty by reason of failure to conform to prescribed standards of weight. This applies to Marines separated from active duty on or after 10 March 1992.

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\* (2) The Marine is being separated under a service-specific program established as a half-payment level by the Secretary.

\* (3) The Marine accepts an earlier separation date from active duty after denial of reenlistment or continuation on active duty.

\*b. The DC, M&RA may award full separation pay to individual Marines discharged under the conditions in paragraph 1308a. Such payments will be granted in extraordinary instances when the specific circumstances of the separation and overall quality of the Marine's service have been such that denial of such pay would be clearly unjust. As an example, a Marine with a congenital or hereditary disease who is involuntarily separated for convenience of the government, and who is not considered for full separation pay. Requests for full separation pay shall be submitted to the CMC (MMEA-6 for enlisted and MMSR-3 for officers) and the Marine's chain of command.

1309. PERSONNEL NOT ELIGIBLE FOR SEPARATION PAY. See reference (a) Title 10, U.S.C. section 1174 and reference (ai) DoDI 1332.29 for further guidance.

a. Marines separated from active duty at their own request. A Marine who declines training to qualify for a new skill, as a precondition to reenlistment or continuation to reenlistment or continuation on active duty will not be considered involuntarily separated. This limitation does not apply to officers discharged or released from active duty because of failure to be selected for promotion.

b. Marines released from active duty for training.

c. Marines who, upon discharge or release from active duty, are immediately eligible for retired or retainer pay.

\*d. Warrant Officers and Chief Warrant Officers whose appointments are terminated during the three-year probationary period and who elect to enlist.

e. CWOs who twice fail to be selected for promotion to the next higher permanent regular warrant officer grade, are serving on active duty and elect, with the consent of the SECNAV, to be retained on active duty in that status.

f. CWOs who twice fail to be selected for promotion to the next higher permanent Regular warrant officer grade and elect to enlist.

g. Temporary or permanent Limited Duty Officers (LDOs) in a pay grade below O4 who twice fail to be selected for promotion to the next higher grade and elect to revert to warrant officer or enlisted status.

h. Reserve officers who decline a regular appointment offered at the O4 level or above in compliance with the all-regular career force objective.

i. Regular officers in pay grade O3 or O4 who twice fail to be selected for promotion to the next higher grade and whose discharge date is within two

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years of qualifying for retirement, under section 632 of reference (a) Title 10, U.S.C. section 1174 and reference (t) SECNAVINST 1920.6C.

j. Marines who are released as part of the execution of a court-martial sentence, which includes discharge or dismissal.

k. Marines dropped from the rolls of the Marine Corps by the President or the SECNAV, under sections 1161 and 6408 of reference (a) Title 10, U.S.C., and reference (an) DoDI 1332.14 or reference (t) SECNAVINST 1920.6C.

\*l. Marines separated under Other Than Honorable conditions or by reason of misconduct or unsatisfactory performance of duty are not eligible for separation pay.

m. Regular, reserve, and warrant officers who are involuntarily separated for cause by reason of substandard performance of duty, misconduct, or moral or professional dereliction; or who have been notified in writing to show cause for retention and subsequently request separation, for such reasons, except when half pay is allowed under paragraph 1308 above.

n. Marines separated during an initial enlistment or period of obligated service. The initial enlistment or period of obligated service is defined as the active service obligation incurred upon initial enlistment or enrollment in a commissioning program. This limitation also applies to Marines who request reenlistment or continuation at the end of such initial enlistment or period of obligated service who are denied reenlistment or continuation.

o. In extraordinary cases, when the DC, M&RA, determines the conditions under which the Marine is separated do not warrant separation pay. This discretionary authority to deny payment shall be used sparingly.

1310. ADDITIONAL ELIGIBILITY REQUIREMENTS FOR RESERVE PERSONNEL

a. To be eligible for separation pay a Reservist must have been involuntarily separated from active duty or must have been denied a voluntary request for additional active duty after six years of continuous active duty. The request to remain on active duty must be unqualified and must specify that the Marine will accept any assignment commensurate with Marine's pay grade, Military Occupation Specialty. A Reserve Marine on active duty may submit an AA form to the headquarters that approved their current set of orders, via the chain of command. Should this request be denied, the command denying further service will examine the Marine's request and determine whether the request for further service is in accordance with the governing policies and directives. The AA form must be submitted at least 2 months prior to the Marine's release from active duty.

b. Submission of preference for duty or a service record administrative remark entry does not constitute an unqualified request to remain on active duty.

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1311. REPAYMENT OF SEPARATION PAY, SEVERANCE PAY OR READJUSTMENT PAY

\*a. Per reference (a) Title 10, U.S.C. 1174, Marines who have received separation pay, severance pay, or readjustment pay based on service in the Armed Forces, which includes service on or after 15 September 1981, and who subsequently qualify for retired or retainer pay shall have deducted an amount equal to the total amount of separation pay, severance pay, or readjustment pay. This amount will be recouped from each payment of this retired or retainer pay until the total amount deducted is equated to the total amount of separation pay, severance pay or readjustment pay received. DFAS determines the recoupment amount and schedule of payments.

\*b. Marines who have received separation pay, severance pay, or readjustment pay based on service in the Armed Forces who become eligible for disability compensation administered by Veterans Affairs, may have deducted from that disability compensation an amount equal to the total amount of separation pay, severance pay, or readjustment pay received as established by laws and regulations. Separation pay, severance pay, or readjustment pay received from an earlier period of active will not be recouped from disability compensation, if that disability compensation was incurred or aggravated during a later period of active duty.

1312. TRANSITION BENEFITS. See reference (aq) DoDD 1332.35, reference (ar) DoDI 1332.36, and Appendix K.

CHAPTER 1

GENERAL INSTRUCTIONS ON SEPARATIONS

\*SECTION 4: CREDITABLE SERVICE FOR ACTIVE DUTY RETIREMENT/TRANSFER TO THE FMCR, ENTITLEMENT TO RETIRED/RETAINER PAY AND RETIRED BENEFITS

\*1401. CREDITABLE SERVICE FOR ACTIVE DUTY RETIREMENT/TRANSFER TO THE FMCR. Eligibility for active duty retirement/FMCR is based on reference (a) Title 10, U.S.C. and reference (f) DoDFMR 7000.14-R (Volumes 7A, 7B) and applies to the total force. The MCTFS PRIUM provides reporting instructions and further descriptions of the data affecting retirement/FMCR eligibility and retired/retainer pay.

\*1. Key MCTFS fields affecting retirement/FMCR eligibility and retired pay.

\*a. Armed Forces Active Duty Base Date (AFADB). A constructive date computed from full time active duty service in any branch of the Armed Forces, modified by time lost or periods not creditable as full time active duty. AFADB is the date on which eligibility for retirement/FMCR begins. Only full time active duty service is used to compute an AFADB. AFADB is credited for each day of active duty served, to include the 31st day of those months. AFADB [and associated events requiring active duty eligibility, such as DD 214 issuance, retirement, etc., are calculated on a "day for day" basis.

\*b. Date Original Entered Armed Forces (DOEAF). The date a Marine was initially enlisted, commissioned, inducted, or appointed in a regular or reserve component of any uniformed service as a commissioned officer, warrant officer, or enlisted member. This date is used to indicate which retirement plan a Marine is under.

\*c. Pay Entry Base Date (PEBD). The actual or constructive date of original entry into the Armed Forces, which is creditable for pay purposes calculated according to a 30 day month, for all months, per reference (f) DoDFMR 7000.14-R.

\*2. SOURCE DOCUMENTS. The dates mentioned in the paragraph above are derived from official source documents including, but not limited to, an original service contract, leave and earning statements reflecting days of active duty paid, orders to active duty and a DD 214. CMC (MMSR) shall verify creditable service toward retirement and the retired pay multiplier (RPM) prior to approval of transfer to the retired list/FMCR. CMC (MMSR) shall correct AFADB, DOEAF and PEBD for errors of creditable service that are not supported by source documents.

\*3. COMPUTATION OF CREDITABLE SERVICE TOWARD ACTIVE DUTY RETIREMENT/FMCR. Creditable service toward an active duty retirement derives from an CMC (MMSR) certified AFADB and active duty in receipt of basic pay from that date.

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\*a. Officers. To be first eligible to receive an active duty retirement, all service obligations must be met and a Marine Officer must have more than 20 years of active duty of which ten of those years must be as a commissioned Officer, unless waived by other provisions of law and regulation. Officers retire (transfer to the Retired List) on the first day of the month, unless retired under disability or other provisions of law.

Officer Example: A major has an AFABDD of 3 January 2001 written in year/month/day format: 20010103. To determine the first eligible date to retire, add 20 years 00 months and 01 day, written as 200001. Add AFABDD plus years/months/days of active duty to determine the first eligible date, 20210104.

This major's earliest retirement date would be 1 February 2021.

YYYY MM DD  
2001 01 03 AFABDD  
+ 20 00 01 More than 20 years of active duty  
2021 01 04 Date first eligible to retire  
2021 02 01 Earliest retirement date

The day transferred to the Retired List is NOT a day of active duty.

This calculation would only be correct if the major continued to serve with no release from active duty during the years depicted.

\* (1) NROTC Midshipman time. Active duty performed as a midshipman in a non-academy status (Bulldog, summer cruise, etc.) is not creditable toward officer active duty retirement, but is creditable toward the RPM, per reference (a) Title 10, U.S.C. Section 971 and 47 CompGen 221,B-158027 dtd November 1967. RPM credit for summer cruise(s) requires the active duty orders (source documents) for these periods. These orders must have an arriving and departing endorsement.

\* (2) Academy status. Service as a cadet or midshipman in any Armed Forces Academy which directly results in a commission is not creditable for officer retirement eligibility or RPM per reference (a) Title 10, U.S.C. Section 971.

\*b. Enlisted. To be eligible for FMCR/retirement, service obligations must be met and the Marine must have 20 or more years of active duty. Enlisted retirement requires at least 30 years of active duty.

\* (1) Transfer to FMCR Example: A staff sergeant has an AFABDD of 3 January 2001 written in year/month/day format: 20010103. To determine the first eligible date to transfer to the FMCR, add 20 years 00 months and 00 days, written as 200000. Add AFABDD plus years/months/days of active duty to determine the first eligible date: 20210103. Enlisted Marines may only transfer to the FMCR on the last of day of the month. This staff sergeant's earliest FMCR date is 31 January 2021.

YYYY MM DD  
2001 01 03 AFADBD  
+ 20 00 00 20 years of active duty  
2021 01 03 Date first eligible to transfer to FMCR  
2021 01 31 Earliest FMCR date

This calculation would only be correct if the staff sergeant continued to serve with no release from active duty during the years depicted.

\*(2) Enlisted retirement Example: A sergeant major has an AFADBD of 3 January 1991 written in year/month/day format: 19910103. To determine the first eligible date to retire, add 30 years 00 months and 00 days written as 300000. Add AFADBD plus years/months/days of active duty to determine the first eligible date: 20210103. This sergeant major's earliest retirement date is 1 February 2021, however he could transfer to the FMCR between the 20th and 30th years of service.

YYYY MM DD  
1991 01 03 AFADBD  
+ 30 00 00 30 years active duty  
2021 01 03 Date first eligible to retire  
2021 02 01 Earliest retirement date

Enlisted Marines transfer directly to the Retired List (no FMCR period) after completing at least 30 years of active duty.

The day transferred to the Retired List is NOT a day of active duty.

This calculation would only be correct if the sergeant major continued to serve with no release from active duty during the years depicted.

\*c. Enlisted Marines who transfer to the FMCR after 20 or more years of active duty are in a "retained" status until furthered transferred to the retired list when their active duty and FMCR service total 30 years.

\*d. Previous Academy status for an enlisted Marine. Service as a cadet or midshipman at any Armed Forces Academy is creditable service for an enlisted Marine, as long as that academy time did not directly result in a commission.

\*4. CREDITABLE SERVICE TOWARD A RESERVE AWAITING PAY RETIREMENT OR RESERVE WITH PAY RETIREMENT. See chapter 3.

\*1402. RETIRED/RETAINER PAY AND RETIRED PAY MULTIPLIER

\*1. Nondisability retired pay is an entitlement per reference (a) Title 10, Chapter 71.

\*2. For the purposes of this section the terms "retired pay" and "retainer pay" are used interchangeably, unless otherwise specified.

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\*3. Retired/Retainer Pay

a. Retired pay is computed according to specific provisions of law and the DoD Financial Management Regulations. This paragraph applies only to nondisability retired pay. Retired pay is calculated by multiplying the rate of pay explained in paragraph 1403, by the retired pay multiplier (RPM). All active duty service and inactive retirement points earned as a member of a Reserve component are included in computing retired pay.

\*b. The retired pay of a warrant officer who is retired under any law cited within this Manual will be based upon the higher applicable monthly basic pay of either the grade held at the time of retirement or the grade to which the officer is advanced on the retired list.

\*c. Per Comptroller General Decision, extraordinary heroism pay only applies to enlisted Marines transferring to the FMCR or after completing 20 years of active duty are retired for disability. If the Marine has been credited by the Secretary of the Navy with extraordinary heroism, retainer pay will be increased by up to 10 percent. In no case may extraordinary heroism retired/retainer pay be more than 75 percent of the pay upon which the computation is based. If a determination of extraordinary heroism pay has not been made by the time processing has been completed, the Marine will be transferred on the date prescribed by the CMC. The decision of the Secretary of the Navy will be forwarded separately.

\*d. Eligible Marines transferred to the Retired List (officer retirement or enlisted with 30 years total service) shall be entitled to retired pay at the applicable rate of pay in the highest grade satisfactorily held as determined by the CMC (for enlisted grades) or by the Secretary of the Navy (for officer grades).

\*4. Retired Pay Multiplier

\*a. The retired pay multiplier (RPM) is calculated based on years and months of creditable service in the Armed Forces. Every complete month is pro-rated to a creditable fractional year of service (29 days or less are not included in the computation, per Public Law 98-94 of 1 Oct 1983). For example, at 20 years, 7 months and 16 days active duty, the multiplier is based on 20 years and 7 months. Credited at 2.5% per year of creditable service (unless a career status bonus was elected), retired pay may exceed 100 percent of the basic pay on which computed. See the Table at the bottom of this paragraph for various rates of RPM based on creditable service and if the career status bonus (CSB) was elected.

Example: A Marine has 23 years and 8 months of active duty. The 8 months constitute a fractional year which must be converted to a decimal equivalent, rounded to two places and added to the 23 years. To convert a fractional year, divide the number of months by 12 (i.e., 8 months divided by 12 = .67). Accordingly, 23 years and 8 months = 23.67 for years and fractional year of active service.



Multiply this figure by 2.5% (.025) to determine the RPM:  $23.67 \times .025 = .59175$  (rounded to 4 decimal places) = .5918.

\*b. Inactive duty service (reserve points) creditable to an active duty RPM are calculated by adding total active duty service plus any creditable inactive service such as drill, correspondence courses and reserve membership. See Chapter 3 for computation of the Reserve RPM.

Example: A Marine has 399 inactive duty points and 20 years 00 months 00 days active duty. Inactive duty points would be creditable for an additional 1 year, 01 month and 9 days; RPM = 21 years 01 month;  $21.08 \times .025 = .5270$ .

RETIRED/FMCR PAY MULTIPLIER (RPM) TABLE

Did NOT Accept CSB		Accepted CSB	
<u>Years of Service</u>	<u>RPM</u>	<u>Years of Service</u>	<u>RPM</u>
20	50.0%	20	40.0%
21	52.5%	21	43.5%
22	55.0%	22	47.0%
23	57.5%	23	50.5%
24	60.0%	24	54.0%
25	62.5%	25	57.5%
26	65.0%	26	61.0%
27	67.5%	27	64.5%
28	70.0%	28	68.0%
29	72.5%	29	71.5%
30	75.0%	30	75.0%
31	77.5%	31	77.5%
32	80.0%	32	80.0%
33	82.5%	33	82.5%
34	85.0%	34	85.0%
35	87.5%	35	87.5%
36	90.0%	36	90.0%
37	92.5%	37	92.5%
38	95.0%	38	95.0%
39	97.5%	39	97.5%
40	100.0%	40	100.0%

\*1403. CALCULATING RETIRED/RETAINER PAY. . Computation of retired/retainer pay is based on the date of original entry into the armed forces (DOEAF - recorded in the MCFS RT01 screen), amount of retired basic pay and the retired pay multiplier (RPM). There are three methods of calculation based on DOEAF and whether or not a career status bonus was elected. For more retired pay information and calculators see the MMSR-2 and DFAS Web sites: [www.dod.mil/dfas](http://www.dod.mil/dfas).

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\*1. MARINES WITH A DOEAF BEFORE 8 SEPTEMBER 1980. To determine monthly gross retired pay for Marines in this category, multiply the RPM by the monthly basic pay in the grade the Marine is serving when transferred to the Retired List/FMCR:

RPM X basic pay at retirement/FMCR date = retired/FMCR pay.

\*2. MARINES WITH A DOEAF 8 SEPTEMBER 1980 THROUGH 31 JULY 1986 OR DOEAF ON OR AFTER 1 AUGUST 1986 AND DID NOT ELECT A 15 YEAR CAREER STATUS BONUS (CSB).

This method computes retired/FMCR pay on the basis of the highest 36 months of basic pay received in a career and is commonly referred to as the "High-36" method. Multiply the RPM by the high-36 month average of basic pay received. High 36 average retired pay is automatically calculated in the MCTFS HI36 screen.

RPM X average of highest 36 months of basic pay at retirement/FMCR date = retired/FMCR pay.

\*3. MARINES WITH A DOEAF ON OR AFTER 1 AUGUST 1986 AND ELECTED THE 15 YEAR CAREER STATUS BONUS (CSB).

Note: Acceptance of the Career Status Bonus (\$30,000 - taxes), will result in the average Marine forfeiting almost \$400,000 in retired pay during the course of their life.

\*a. The CSB is contingent upon the Marine serving 20 active duty years. Failure to serve 20 years may require reimbursement of any unserved portion of the bonus.

\*b. This method computes retired/retainer pay using a two-tier system. The first tier provides a reduced RPM for those who retire/transfer to the FMCR with less than 30 years of active service and reduced cost of living increases until age 62. The second tier recomputes retired/retainer pay for those with less than 30 years of active service when they reach the age of 62, but cost of living increases are again thereafter reduced for life.

\*c. For those who retire with less than 30 active duty years, the RPM is reduced 3.5% (.035) for each year less than 30 years, thus 20 years of active duty = an RPM of 40% (.4). For Marines who retire under this system with 30 or more years of active duty, the RPM is no longer decremented and equates to years and months x 2.5%.

\*4. Retired pay is subject to federal income tax. State income tax is not automatically withheld. Check with the respective state tax/revenue commissioner concerning withholding. FICA (Social Security Tax) is not withheld from retired/FMCR pay.

\*5. Retired pay is normally increased on an annual basis by an amount based on the Consumer Price Index (CPI). These annual raises are called cost of living allowances (COLAs). Marines whose retired pay is calculated using

methods 1 or 2 will normally receive a raise based directly on the CPI. Marines whose retired pay is calculated using method 3 will receive raises based on the CPI minus 1%.

\*1404. PAY ACCOUNTS AND ALLOTMENTS

\*1. Pay accounts of retired Marines are maintained at the Defense Finance and Accounting Service.

Defense Finance and Accounting Service  
U.S. Military Retired Pay  
P.O. Box 7130  
London, Kentucky 40742-7130

\*2. Unless requested otherwise, all active duty allotments will automatically continue after retirement, except allotments in amounts greater than the anticipated amount of retired pay and allotments to charitable organizations other than the Navy-Marine Corps Relief Society. Refer to DFAS-CL 7220.31R. Retired pay allotments and withholding can be adjusted ON-LINE through a DFAS "MYPAY" account.

\*1405. CHANGE OF ADDRESS OF RETIRED/FMCR MARINES

\*1. Retired and FMCR Marines will:

a. Keep the Director, Defense Finance and Accounting Service informed at all times of their current check mailing address and current home mailing address using the address in paragraph 1404.1. All retired/FMCR Marines must be on direct deposit.

b. Keep the CMC (MMSR-7) informed at all times of their current home mailing address. Provide address changes and submit with signature over the EDIPI for identification purposes. Report address changes to:

United States Marine Corps  
Manpower and Reserve Affairs (MMSR-7)  
3280 Russell Road  
Quantico, VA 22134-5103

Telephone: 1-800-715-0968.

\*2. Subject to the above requirements and conditions stated in the Marine Corps Retirement Guide, NAVMC 2642, a retired or FMCR Marine may reside abroad.

\*1406. Survivor Benefit Plan (SBP). Commanders must ensure that they educate and counsel Marines and their spouses concerning options under the SBP. Refer to reference (m) MCO 1740.11D and reference (bs) DoDI 1332.42.

1407

Additional information can also be found on the MMSR-6/Retired Support Section website. Marines may enroll in the MarineNet SBP Counseling course at <http://www.tecom.usmc.mil/cdet/courseware.asp>.

\*a. The commanding officer is responsible for ensuring that Marines are counseled on SBP prior to their retirement date. A completed election form (DD Form 2656) must be faxed and mailed to DFAS at least 30 days prior to retirement or transfer to FMCR:

Defense Finance and Accounting Service  
U.S. Military Retirement Pay  
P.O. Box 7130  
London, KY 40742-7130

Customer Service 1-800-321-1080  
Fax # RAPIDS 1-800-469-6559

\*b. A retired/FMCR Marine is automatically enrolled in the SBP if the DD Form 2656 is incorrectly completed, not received by DFAS, or spousal concurrence is not notarized.

\*c. SBP elections are made on the DD Form 2656 (follow instructions on the form).

\*d. An election not to participate in the SBP must be marked in section IX, block 26g of the DD Form 2656.

\*e. Elections other than full coverage requires spousal concurrence and must be notarized.

\*f. If no election is made prior to the effective date of the retirement, DFAS (by law) will automatically deduct full SBP coverage at the full gross salary rate. Contact MMSR-6 within the first year of retirement for correction of any administrative SBP pay issues.

\*1407. DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM (DEERS) - ID CARD AND BENEFITS

\*a. It is the Marine's responsibility to ensure that family members' information is current and accurate in DEERS.

\*b. Failure to enroll and update eligible dependents in DEERS will result in denial of routine medical care at military treatment facilities and TRICARE claims rejections.

\*c. Failure to terminate ineligible dependents can result in being billed for any unauthorized medical care.

\*d. In accordance with Department of Defense guidelines on fraud and abuse, Marines can be held responsible for any medical expenses which are incurred by unauthorized dependents.

\*e. See the TRICARE website ([www.tricare.mil](http://www.tricare.mil)) for an explanation of retired/FMCR medical benefits.

\*f. See Appendix K for a detailed description of benefits available after separation.

CHAPTER 1

GENERAL INSTRUCTIONS ON SEPARATIONS

SECTION 5: VOLUNTARY RETIRE/RETAIN AND RECALL

\*1501. RETIRE-RETAIN

\*1. Marines in the grade of colonel and below approaching mandatory retirement may be concurrently retired and voluntarily retained on active duty in billets that cannot be filled with the active force.

\*2. The period of retention on active duty shall be of a fixed duration, determined on a case-by-case basis and shall not normally exceed 180 days.

\*3. Retention of retired Marines will be for the sole purpose of meeting requirements that cannot be met by the active force and not to personally benefit the retired Marine.

\*4. Submit requests to the CMC (MMSR-7) via the chain of command no later than six months prior to the retirement date.

\*5. It may be more appropriate to request a waiver of Enlisted Career Force Controls (ECFC) for an enlisted Marine, vice retire and retain. Contact MMEA for guidance.

\*6. If approved for Retire/Retain, retain orders will be issued by the CMC (MMSR-7). These orders are not a substitute for command issued Retirement or Transfer to the FMCR orders. At the conclusion of the retention period, commanders will issue a DD 214 covering the period of retention only. Further administrative guidance will be contained in the Retire/Retain orders.

\*1502. VOLUNTARY RECALL OF MARINES FROM THE RETIRED LIST OR FMCR

\*1. Marines may voluntarily request recall to active duty from the retired list or FMCR to fill valid billet requirements.

\*2. Submit requests to the CMC (MMSR-7).

\*3. Recalled Marines must meet and maintain all active duty standards and requirements and are subject to the UCMJ.

\*4. If approved for Recall, recall orders to active duty will be issued by the CMC (MMSR-7). Upon conclusion of recall service, commanders will issue a DD 214 covering the period of recall service. Further administrative guidance will be contained in the Recall orders.

\*1503. RETIRED/RETAINER PAY. Upon conclusion of active duty, the retired pay multiplier will be increased by the additional active duty months and years served while in a retained or recalled period. For additional information on computing retired/retainer pay, refer to paragraph 1402.

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Figure 1-1. Discharge Letter in Lieu of Discharge Certificate

(Letterhead)

From: (Discharge Authority)  
To: (Individual Marine)

Subj: DISCHARGE FROM THE UNITED STATES MARINE CORPS RESERVE

Encl: (1) Service Record page(s) (or other supporting documentation)

1. You are hereby discharged from the U.S. Marine Corps Reserve as of (time) on (date of discharge).

2. You are not recommended for reenlistment. Your characterization of service, as supported by enclosure (1), is \_\_\_\_\_.

3. Any inquiries you may have concerning your military service should be addressed to the Commandant of the Marine Corps (MMRP-10), Headquarters, U.S. Marine Corps, 2008 Elliot Road, Quantico, VA 22134-5030. All inquiries must include your full name, social security number, and date of discharge.

Figure 1-1.--Discharge Letter in Lieu of Discharge Certificate

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Figure 1-2.--Sample Orders for Leave Awaiting Separation

(Letterhead)

From: Commanding Officer  
To: Staff Sergeant Joe I. MARINE EDIPI/MOS USMC  
Subj: LEAVE AWAITING SEPARATION  
Ref: (a) MCO P1050.3J  
(b) JFTR, par. U5125  
(c) 10 U.S.C., Sect. 652 (NOTAL)

1. Per the provisions of reference (a), effective (Time), (Date), you will proceed on 28 days annual leave while awaiting release from active duty on (Date). You may proceed to your home of record or to any other place you elect. You were ordered to active duty from Yuma, Arizona. Your home of record is Hot Springs, Arkansas 67890.
2. You have elected mileage, via POV, to Hot Springs, Arkansas, your home of record. You have given your permanent mailing address as 782 Devil Dog Road, Benton, Arkansas 12345. Per the provisions of reference (b), travel pay upon separation is authorized.
3. Your unused leave, computed to include (Date), is (unused leave total) days. Upon completion of authorized leave, your leave balance will be (leave balance) days due upon release.
4. On (Date), you will notify this command of your actual location. Such notification will be by the most expeditious means, either by phone or email to (Unit's Separation Department Contact Phone Number) or (Unit's Separation Department Email Addresses), in order to report the most current data via Unit Diary. With your retirement orders you will locate the nearest ID card processing location to obtain your retired identification card and the identification cards of your dependents.
5. Per reference (c), you are required while a member of the Marine Corps Reserve to keep the Commander, Marine Forces Reserve, 4400 Dauphine Street, New Orleans, LA 70146 (toll free 1-800-255-5082), informed of any change of address, marital status, number of dependents, civilian employment, or physical standards.

I. M. HARDCHARGER  
By direction

Figure 1-2.--Sample Orders for Leave Awaiting Separation

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\*Table 1-1.--Characterization of Service

R U L E	If the separating Marine:	the characterization of service is:	the separating activity will issue:
1	is under 17 years of age	uncharacterized	an order of release from custody and control of the Marine Corps.
2	is between 17 and 18 and separation is w/in first 180 days	uncharacterized	a DD Form 214 only.
3	is over 18 years of age and separation is w/in first 180 days	uncharacterized	a DD Form 214 only.
4	is over 18 years of age and has served 180 days or more, is a corporal or below and has minimum average proficiency and conduct markings of at least 3.0/4.0, respectively	honorable *(See note 1,2, and 3)	an Honorable Discharge Certificate (DD Form 256 MC), a DD Form 214 and an honorable discharge lapel pin, Letter of Appreciation (NAVMC 11352).
5	is over 18 years of age and has served 180 days or more, is a corporal or below and has average proficiency and conduct markings below 3.0/4.0.	general (under honorable conditions) *(See Note 1 and 3.)	DD Form 214.
*6	all other Marines	honorable or general (under honorable conditions) *(See Note 3)	Honorable Discharge Certificate (DD Form 256 MC), DD Form 214, an honorable discharge lapel pin, and a Letter of Appreciation for honorable discharges. DD form 214 for general (under honorable conditions)
7	has requested separation in lieu of trial by court-martial	under other than honorable conditions	a DD Form 214 only.
8	is being separated under a provision of chapter 6	as directed by the separation authority	an appropriate certificate based upon discharge authority's decision, DD Form 214, an honorable discharge lapel pin,

\*Table 1-1.--Characterization of Service--Continued

\*Table 1-1.--Characterization of Service--Continued

		for an honorable characterization of service, and Letter of Appreciation, if appropriate.
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NOTE 1. To compute final average proficiency and conduct markings for separation, round to the nearest tenth as follows: 5 if the average hundredth figure is 5 or more, round up to the nearest tenth; otherwise, round down. For example, 3.95 rounds up to 4.0; whereas 3.94 remains at 3.9).

NOTE 2. Honorable discharge certificates are only issued if the Marine has completed the 8 year service obligation.

\*NOTE 3. If a Separation Authority determines that an enlisted Marine warrants a General (Under Honorable Conditions) character of service, see paragraph 1004. Other than for corporal and below with average proficiency marks below 3.0 and conduct marks below 4.0. at EAS, the Marine must be notified in writing and be afforded a reasonable opportunity to submit matters for consideration. If a Separation Authority then concludes that a General Characterization is still appropriate for significant negative aspects of conduct or performance, the reasons for that determination must be documented on page 11 of the SRB/ESR. Any supporting documents must be forwarded to MMRP-20 for inclusion in the Marine's OMPF.

\*Table 1-1.--Characterization of Service

MCO 1900.16  
26 Nov 2013

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CHAPTER 2

RETIREMENT OF OFFICERS ON ACTIVE DUTY

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FIGURE

2-1	FORMAT FOR ORDERS TO RELEASE FROM ACTIVE DUTY AND TRANSFER TO THE RETIRED LIST . . . . .	2-16
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CHAPTER 2

RETIREMENT OF OFFICERS ON ACTIVE DUTY

2001. GENERAL

\*1. This chapter outlines policies and procedures governing retirement of officers on active duty. To be eligible for an active duty retirement, officers must meet the requirements of this chapter. Retirement of Reserve officers not on active duty and disability retirements are covered in chapters 3 and 8, respectively. For the purposes of this chapter the terms "statutory", "mandatory", and "involuntary" are used interchangeably.

2. The statutory authority for retirements rests in reference (a) Title 10, U.S.C. as amended by Public Law 96-513, Defense Officer Personnel Management Act (DOPMA), which took effect 15 September 1981, and Public Law 102-190, Warrant Officer Management Act (WOMA), which took effect 1 February 1992. Grandfathering provisions of DOPMA mandate retirement, in certain instances, under pre-DOPMA law based on the individual case. Officers requesting voluntary retirement and those subject to statutory retirement are retired under the provisions of law that apply.

a. Retirement Under Prior Law (Pre-DOPMA). Lieutenant colonels and above commissioned prior to 15 September 1981 will be retired under provisions contained in pre-DOPMA law, unless continued on active duty under such regulations as the Secretary of the Navy may prescribe.

b. Retirement Under DOPMA. First lieutenants to majors commissioned prior to 15 September 1981, and first lieutenants and above, commissioned since 15 September 1981, will be retired under DOPMA.

c. Retirement Under WOMA. All active duty Marine Corps warrant officers will be retired under WOMA.

3. Voluntary retirement of officers for cause is covered in reference (t) SECNAVINST 1920.6C.

\*4. The DC, M&RA is the delegated approval authority for the voluntary retirement of Marine Corps officers in the rank of colonel and below.

\*5. See Chapter 1, Section 4 on creditable service for retirement, retired pay, the Survivor Benefit Plan (SBP) and other retired benefits.

2002. DEFINITIONS

1. Advancement on the Retired List. Per reference (a) Title 10, U.S.C. section 6151, officers who previously served satisfactorily under a temporary appointment to a higher grade, upon retirement, will be advanced on the retired list to the highest grade satisfactorily held, as determined by the Secretary of the Navy. Warrant officers will be advanced to the highest grade served satisfactorily under reference (a) Title, 10 U.S.C. section 6334, when active service plus service on the retired list totals 30 years.

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Retired pay will be based on the grade held at retirement, or to which advanced on the retired list, whichever results in higher pay.

2. Qualifying Service for Retirement. Officers who meet the following service criteria are eligible for voluntary retirement:

a. Commissioned Officers. Must serve 20 years and 1 day of active service, 10 years of which must be active commissioned service, per reference (a) Title 10, U.S.C. section 6323. This applies to Regular commissioned officers and limited duty officers (LDO).

b. Warrant Officers. Must serve 20 years active service, per reference (a) Title 10, U.S.C. 1293.

3. Total Commissioned Service

a. Pre-DOPMA. For lieutenant colonels and above, commissioned prior to 15 September 1981, commissioned service is measured from 30 June of the fiscal year in which an officer was appointed a commissioned officer. Per reference (a) Title 10, U.S.C. 611, part C, section 624, all commissioned service, both inactive and active, prior to 15 September 1981 counts for this computation and in determining years of service for mandatory retirement. This definition only applies when determining the mandatory retirement date of lieutenant colonels and above who were commissioned prior to 15 September 1981. See paragraph 2001.2a.

b. DOPMA. For lieutenant colonels and above commissioned after 15 September 1981, only active duty commissioned service is used to determine the mandatory retirement date. See paragraph 2001.2b.

\*2003. VOLUNTARY RETIREMENT. Voluntary retirement is subject to the following criteria in this paragraph.

\*1. Criteria. Officers with more than 20 years of active duty may request retirement. Unless retirement in the next inferior grade is directed under reference (t) SECNAVINST 1920.6C, the DC, M&RA shall make determinations of satisfactory service.

\*a. Service-in-Grade (SIG). Also referred to as time-in-grade (TIG). Officers must meet the applicable SIG requirements below. Officers selected for promotion who desire to retire prior to completion of the applicable minimum service-in-grade requirement must decline the appointment to the next higher grade. Except as indicated in paragraph 2003.2, officers requesting retirement who have not served the time specified in this paragraph will not be approved. For purposes of this instruction, active duty service-in-grade will be computed from the date of rank of such grade and active duty service in that grade. Time/service spent in a frocked status does not count for that grade.

\* (1) DOPMA/WOMA. Chief warrant officers, and commissioned officers must serve:

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<u>GRADE</u>	<u>REQUIREMENT</u>
CWO-2 - CWO-5	2 Years
2dLt, 1stLt	6 Months
Capt, Maj	2 Years
LtCol - Gen	3 Years

\* (2) Waivers. The designated approval authority may waive any portion of the TIG requirement in individual cases involving extreme hardship or exceptional circumstances, except the minimum period for the grades specified as indicated below:

<u>Grade</u>	<u>Approval Authority</u>	<u>Minimum TIG</u>
CWO-2 - CWO-5	DC M&RA	6 months
2dLt - Maj	DC M&RA	6 months
LtCol & above	Secretary of the Navy President	2 years 6 months

\* (3) DC, M&RA may approve voluntary requests from officers to retire in the next lower grade.

b. Additional Obligated Service. Officers attending school under various programs or who receive special training in compliance with official orders must complete the additional service obligation incurred.

(1) Service Schools

<u>School</u>	<u>Service Obligation</u>
20 weeks or more	2 years
Less than 20 weeks	1 year
MAWTS-1/WTI	2 years
Naval Fighter Weapons School	2 years
Operational support aircraft	2 years
Instructor (FRS, NATC)	2 years

Note: All service obligation begins upon completion of the school or training. The service requirement is applicable to any officer who fails to complete any such school and will start on the date of transfer from the course. For operational support aircraft the obligation is incurred at the commencement of any training toward initial qualification and begins upon completion of initial training; in the case of failure to complete training the obligation begins on the date of transfer from the course.

(2) Education Programs

(a) Additional service obligation incurred incident to education programs are as prescribed by the appropriate Marine Corps directive in effect at the time of selection for the College Degree Program, Special

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Education Program, Advanced Degree, Funded Law Education Program, Excess Leave Program (Law), or other full-time, funded schooling.

\* (b) Tuition Assistance. Service requirement is 2 years from the date of completion of any course for which tuition assistance is provided. Commanders are responsible for identifying to the CMC (MMSR and MF) all officers having incurred a tuition assistance service obligation that voluntarily request retirement. Officers subject to mandatory retirement are not obligated to pay back the tuition assistance used. For further information contact the CMC (MF).

(3) Special Tours. A two-year service obligation is incurred upon completion of tour in an aviation or aviation ground exchange tour with a foreign military service or another branch of the US military service. These tours include but are not limited to USAF exchange tours, the Navy Flight Demonstration Team tour, Royal Navy exchange tours, Royal Australian Air Force exchange tours, Spanish Navy exchange tours, Italian Navy exchange tours, and Canadian Navy exchange tours.

c. Tour Length/Minimum Time on Station (TOS)

(1) CONUS. Officers must complete 2 years TOS, except for those returning from overseas which require 1 year TOS, based on the geographic location date the current tour began (GEODCTB) as established in MCTFS. Use the original GEODCTB in MCTFS for officers reassigned within the same geographical area. When PCS orders are issued (no cost, low cost, or fully funded) and those orders result in a change of geo-location, the Marine incurs the requisite obligated TOS requirement per reference (aj) MCO P1300.8R.

(2) Overseas/Prescribed Tour Length. Officers serving overseas or on tours that are prescribed by reference (aj) MCO P1300.8R W/CH 1-8 must complete a full tour.

d. PCS Orders

(1) Officers who have been issued, or notified they will receive PCS orders may request cancellation of the pending assignment provided a request for retirement is submitted per the following paragraphs.

(a) Officers eligible to retire may request a retirement date on or before the first day of the month after the effective date of their expected arrival at the new duty station.

(b) Officers not eligible to retire, but who will be eligible within 12 months of their expected date of arrival at the new duty station, may request a retirement date on the first day of the month after initial eligibility.

\* (c) Retirement requests involving cancellation of PCS orders must be forwarded to the CMC (MMSR-2) with the CMC (MMOA) as an information addressee. Submit the request no later than 10 working days after receipt of



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orders. Requests that do not comply with this criteria will not normally be given favorable consideration.

(2) Officers with more than 12 months before initial eligibility for retirement will be required to execute PCS orders and complete the required minimum tour at the new duty station.

e. Contact Relief/Critical Skill. Requests for retirement from officers serving in billets which require contact relief for special qualifications or who are considered to possess a critical skill may be deferred pending proper relief/assignment action.

## 2. Waiver of Criteria

a. An officer requesting waiver of any criteria must submit a written request with justification via the chain of command to the CMC (MMSR-2).

b. Except as noted in paragraph 2003.2d, requests must be based upon hardship or humanitarian considerations and should include the information required by paragraph 6407. Only cases that clearly establish that a situation exists which is not of a temporary nature and is not susceptible to relief by other means will be favorably considered. **Opportunity for civilian employment does not warrant waiver of the criteria.**

\*c. Requests for waiver of the minimum TIG requirement must be submitted to CMC (MMSR-2) for approval or endorsement to the approval authority.

d. Requests for retirement requiring other waivers may receive favorable consideration if an officer:

(1) Has qualifying service and is considered twice failed of selection for promotion to the next higher grade;

(2) Is a Reserve officer eligible for retirement whose active service is no longer required;

(3) Has been identified by the CMC as being of limited assignability, such as those whose general health has deteriorated, or due to a condition beyond their control, or whose retention is clearly inconsistent with the interests of national security per reference (t) SECNAVINST's 1920.6C and reference (am) SECNAVINST 5510.30B; or,

(4) Has an extreme hardship or exceptional circumstances of a long term nature and retirement would significantly alleviate the condition per the criteria of paragraph 6407.

\*3. Requests for voluntary retirement in cases where court-martial charges have been preferred and not disposed of shall be denied except as provided in reference (t) SECNAVINST 1920.6C.

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2004. ADMINISTRATIVE PROCEDURES

\*1. Submission of Requests. Submit requests for voluntary retirement, not requiring waivers, via the unit diary system in MCTFS per reference (aw) Online MCTFSPRIUM. The officer requesting retirement is required to sign a copy of Appendix J from this Manual for inclusion in the service record. Requests for retirement will be submitted not more than 14 months and not less than 4 months prior to the requested retirement date. Requests submitted outside this time frame are rejected by MCTFS and therefore must be submitted, with justification and appropriate endorsements, by separate correspondence or message to the CMC (MMSR-2).

2. Officers requesting retirement are cautioned not to make significant personal commitments (such as buying or selling a house or business, or accepting civilian employment) based upon mere submission of a request. Problems which may arise from such premature commitments will not be used as a basis for approving an officer's request, nor will they be considered a hardship.

3. An officer requesting waiver of criteria per paragraph 2003.2 must submit requests via separate correspondence or message with justification and endorsements via the chain of command. Retirement requests requiring a waiver and submitted by unit diary or without justification and command endorsement will be filed without action and the officer so notified.

4. Officers serving overseas may request retirement effective the first day of the month and no more than 60 days following their RTD. See paragraph 1006.7. Officers stationed OCONUS, who desire retirement upon reaching their RTD, may return to CONUS to effect retirement at any one of the specified locations in paragraph 1006.5 and must indicate their selection (MCC) in the request. Return to CONUS orders (MCC W95) are issued by the CMC (MMOA).

5. Commanding Officer Responsibilities

a. Submission of Request

(1) Ensure the request is submitted 4 to 14 months from the effective date. Unit diary entries outside this window will not process.

(2) Ensure the requested retirement date meets the criteria in paragraph 2003.1.

(3) Sign the pre-application checklist (Appendix J) to certify that the Marine has been advised of the ramifications of the request to retire prior to the request being submitted to Headquarters Marine Corps (HQMC).

\*b. Counsel the Marine concerning their potential for recall to active duty and/or mobilization.

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\*6. Once a retirement request is submitted, notify the CMC (MMSR-2) if the officer is:

\*a. Found not physically qualified; once contacted the CMC (MMSR-2) will provide additional guidance. See paragraph 1011 regarding medical deferral or modification of a retirement and chapter 8 for disability retirements.

b. Deceased;

c. Reassigned; or

d. Promoted (or selected).

7. Receipt and Processing at HQMC. See Appendix E for detailed instructions on the use of the unit diary system in MCTFS for retirement processing.

a. Request Submission. Acceptance of the unit diary request will be indicated on the reporting unit's Diary Feedback Report (DFR) and the Transaction Researcher File (TRF). A "request" reenlistment-extension-retirement (RER) flag will post in MCTFS indicating a request submission. Additionally, a planned reenlistment-retirement (PRR) date will post reflecting the requested retirement date. The officer should maintain liaison with the appropriate unit administrative personnel until the request is confirmed via the DFR.

b. Acknowledgment. A "request" RER flag does not indicate receipt at HQMC. The CMC (MMSR-2) acknowledges receipt of the request by entering a "pending" RER flag in the unit diary that reflects in the unit's DFR.

\*c. Approval Authority. The DC, M&RA is the approval authority for colonel and below retirement requests. Staffing requires approximately 30 days to obtain approval, initiate billet replacement action, calculate a statement of service, and prepare necessary letters and certificates.

d. Effective Date. The effective date may be changed when, in the best interest of the Marine Corps, a delay is necessary to provide time for orderly relief, for completion of the current tour or an ordered tour of duty, or if the officer is subject to mandatory retirement.

\*e. Disapprovals. Should a retirement request be disapproved, notification of the disapproval will be reflected on the unit's DFR with an RER flag of (0).

\*f. Approval Confirmation. The CMC (MMSR-2) posts approvals in MCTFS, which reflect on the unit's DFR with an "approved" RER flag of 7. See paragraph 2004.9 regarding retirement orders.

g. Mandatory Retirements. The CMC (MMSR-2) will issue authority to retire via unit diary for all mandatory retirements no later than 4 months

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prior to the effective date, when the officer concerned fails to otherwise request voluntary retirement.

#### 8. Modification or Cancellation of Requests

a. Submit requests to modify or cancel a retirement, with justification and endorsements, via separate correspondence or message to the CMC (MMSR-2) not later than 45 days prior to the effective date of retirement. Requests for modification or cancellation can not be submitted by unit diary. Approval will be based on the following criteria:

- (1) Bona fide humanitarian or hardship circumstances.
- (2) A critical need exists for the officer's grade and MOS.
- (3) Needs of the service.
- (4) Selection for promotion.
- \* (5) Medical reasons. See paragraph 1011.

b. Requests for modification or cancellation from officers whose request for retirement resulted in either cancellation or nonissuance of orders will not be favorably considered.

c. Modification of any duration may be requested; however, as a general rule, the effective date of the requested modification should not exceed 14 months from the date of submission of the original request. If the new date is outside this window, request cancellation vice modification.

\*d. Modifications or cancellations requested after an officer has started separation leave, or after replacement action by HQMC has been initiated, will only be considered if a bona fide humanitarian or hardship circumstance exists. Contact MMSR-2 and MMOA immediately for further guidance.

\*e. Requests to change retirement dates after the officer has been transferred to the retired list must be requested through the Board for Correction of Naval Records (BCNR). The BCNR website is:  
<http://www.donhq.navy.mil/bcncr/bcncr.htm>.

#### 9. Retirement Orders

a. Colonels and generals are issued orders from the CMC (MMSR-2 or MMSL). Lieutenant colonels and below receive orders from their command upon receipt of authority to retire via the unit diary approval entry from the CMC (MMSR-2). See figure 2-1 for an example of orders.

b. Once a request has been approved, only the CMC (MMSR) may authorize revocation or modification. Such action must take place prior to the

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effective date of retirement. Once the effective date of retirement has passed, the retirement is effective.

2005. MANDATORY RETIREMENT

\*1. Since numerous statutes govern mandatory retirement, officers must understand which statutes apply in their case and the distinction between active duty commissioned service, active duty, reserve service and total commissioned service. Paragraphs 1002 and 2002.3 define these terms. This paragraph is organized according to unrestricted officers, limited duty officers, and warrant officers as different laws govern these officers' service and retirement.

2. Unrestricted Officers

\*a. General officers. Per reference (a) Title 10, U.S.C. sections 635 and 636, generals, lieutenant generals, major generals, and brigadier generals shall, if not earlier retired, be retired on the first day of the month after their fifth anniversary of appointment to that grade, or upon completion of 40, 38, 35, or 30 years of commissioned service respectively, whichever is later. Subject to the needs of the service and reference (a) Title 10, U.S.C. sections 637 and 1251, the President may defer the retirement of major generals and above, but not later than the first day of the month following the month in which the general reaches age 64. General officers will be considered for voluntary retirement on the basis of service needs reflected in the annual promotion and continuation plans approved by the Secretary of the Navy and the merits of the individual case as required by section 1370 of reference (a).

\*b. Colonels. Per reference (a) Title 10, U.S.C. section 634, colonels, who are not on a list of officers recommended for promotion, shall if not earlier retired, be retired on the first day of the month after the month in which they complete 30 years of active duty commissioned service. However, colonels subject to mandatory retirement who were commissioned prior to 15 September 1981, shall be retired no later than 1 July of the year following the month in which they reach 30 years of total commissioned service. See paragraph 2002.3.

\*c. Lieutenant Colonels. Per reference (a) Title 10, U.S.C. section 633, lieutenant colonels, who are not on a list of officers recommended for promotion, shall if not earlier retired, be retired on the first day of the month after the month in which they complete 28 years of active duty commissioned service. However, lieutenant colonels subject to mandatory retirement who were commissioned prior to 15 September 1981, shall be retired no later than 1 July of the year following the month in which they reach 28 years of total commissioned service. See paragraph 2002.3.

\*d. Majors, Captains, and First Lieutenants. Per reference (a) Title 10, U.S.C. sections 632 and 631, majors, captains, and first lieutenants who have twice failed selection for promotion to the next higher grade shall be

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discharged or retired not later than the first day of the seventh month after the month in which the President or delegated authority approves the report of the board on which they failed selection a second time.

\*(1) If they are not eligible for retirement, but are within two years of qualifying for retirement, they will remain on active duty until retirement eligible, unless sooner discharged or retired under another provision of the law.

\*(2) If they are not within two years of qualifying for retirement they will be involuntarily separated (see chapter 5), unless they are continued per reference (a) Title 10, U.S.C. section 637, as detailed in paragraph 2005.2(e).

\*e. Continuation of Commissioned Officers. The continuation of officers subject to discharge or involuntary retirement is included in DOPMA as a discretionary provision to permit the Services to meet manpower requirements. DOPMA prescribes that continuation boards may be convened at the discretion of the Secretary of the Navy. Officers in the grade of captain and above, subject to discharge or involuntary retirement under pre-DOPMA or DOPMA, maybe eligible. An officer not considered or selected will be discharged or retired as prescribed by law. Unless solicited by the CMC, individual requests for selective continuation will not be considered or forwarded. Absent a Marine Corps-wide program, individual requests are filed without further action. The maximum period a commissioned officer may be continued on active duty under DOPMA after the decision of a continuation board is:

\*(1) Captains. A period not to extend beyond the last day of the month of 20 years active duty commissioned service.

\*(2) Majors. A period not to extend beyond the last day of the month of 24 years active duty commissioned service.

(3) Brigadier Generals, Colonels, and Lieutenant Colonels. Per reference (a) Title 10, U.S.C. 1251, any deferral of retirement and continuation on active duty under section 637, for officers in the grades of lieutenant colonel to brigadier general, shall be for a period not to exceed 5 years, but such period may not extend beyond the first day of the month following the month in which the officer becomes 62 years of age.

\*(4) Period of Continuation. The period(s) of continuation will be established by the Secretary of the Navy. The specific terms of continuation will be the subject of separate correspondence between CMC (MMSR-2) and the officer continued. Continuation for one period does not guarantee a second period.

\*f. Selective Early Retirement of Commissioned Officers. The Secretary of the Navy may convene a selection board under reference (a) Title 10, U.S.C. section 611(b) to recommend regular commissioned officers for early retirement as prescribed in reference (a) Title 10, U.S.C. section 638, whenever the needs of the Marine Corps require.

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\*g. Retirement for age. Unrestricted officers, colonel and below, unless retired earlier under some other provision of law shall be retired on the first day of the month following the month in which they become 62 years of age. Mandatory retirement age for general officers is age 64, with waivers for lieutenant general and general.

3. Limited Duty Officers (LDO)

\*a. Officers Designated for Permanent Limited Duty. Mandatory retirements and discharges of Permanent LDOs are stipulated under reference (a) Title 10, U.S.C. section 6383, as well as reference (t) SECNAVINST 1920.6C.

(1) Each Regular officer of the Marine Corps designated for permanent limited duty shall be retired on the earlier of the following dates:

\*(a) The last day of the month following the month in which the officer completes 30 years active duty naval service, exclusive of active duty for training in a Reserve component; or,

(b) A date requested by the officer and approved by the Secretary of the Navy, but not later than the first day of the seventh month after the month in which the President or delegated authority approves the report of a selection board in which the officer failed of selection for promotion a second time.

\*(2) A permanent LDO who has twice failed selection, but is within two years of qualifying for retirement, will be retained until eligible for retirement unless sooner discharged or separated under another provision of the law.

(3) An officer designated a permanent LDO no longer carries the previously held warrant officer or enlisted grade. However, a permanent LDO who has twice failed selection and is subject to involuntary separation, may at the LDO's option, revert to the warrant officer status held when first appointed an LDO; or, if appointed from an enlisted grade, be reenlisted at the LDO's request, and at the discretion of the Secretary of the Navy.

(4) A permanent LDO may not be continued past age 62.

\*b. Officers Designated for Temporary Limited Duty. Mandatory retirements and discharges of Temporary LDOs are stipulated under reference (a) Title 10, U.S.C. sections 1370 and 580 if reverted to warrant officer, Enlisted Career Force Controls as shown in chapter 7 if reverted to enlisted grade, and reference (t) SECNAVINST 1920.6C if administratively separated.

\*(1) The appointment of a temporary limited duty officer (LDO) not selectively continued on active duty per reference (as) SECNAVINST 1412.9B will be terminated on the earlier of the following dates:

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\* (a) The last day of the month after the month in which the officer completes 30 years of active duty naval service, other than active duty for training; or,

(b) A date requested by the officer and approved by the Secretary of the Navy, but not later than the first day of the seventh month after the month in which the Secretary approves the report of a selection board in which the officer is considered as having failed of selection for promotion to the next higher temporary grade for the second time.

(2) A temporary LDO with a permanent Regular warrant officer grade whose LDO appointment is terminated will be afforded the option, if otherwise eligible, of voluntary retirement in lieu of reversion to permanent warrant officer status. A temporary LDO who reverts to a permanent warrant officer status must do so prior to the first day of the seventh month after the second failure of selection for promotion as shown above, and is subject to involuntary retirement or separation as a warrant officer under the applicable statutes and directives.

(3) A temporary LDO with a permanent Regular enlisted status whose appointment is terminated will be afforded the option, if otherwise eligible, of voluntary retirement in lieu of reversion to permanent enlisted status. A temporary LDO who reverts to a permanent enlisted status is subject to Marine Corps Enlisted Career Force Controls or separation by reason of expiration of enlistment, when applicable.

(4) A temporary LDO not eligible for retirement under reference (a) Title 10, U.S.C. section 6323 and who has twice failed of selection for promotion to the next higher temporary grade, may either be:

(a) Retained on active duty in the temporary grade held, if within two years of such retirement eligibility as of the date the Secretary approves the report of the selection board in which the officer is considered as having failed of selection for promotion to the next higher temporary grade for the second time; or,

(b) Reverted to permanent warrant officer or enlisted status, as appropriate, if not within two years of attaining retirement eligibility.

#### 4. Warrant Officers

\*a. Unless separated or retired under other provisions of law, warrant officers will be retired on the first day of the month 60 days after the completion of 30 years active duty service unless continued on active duty under the provisions of reference (a) Title 10, U.S.C. sections 580 or 1305. In no case may a warrant officer be continued on active duty beyond 60 days after reaching age 62. Unless selected for continuation, warrant officers are separated or retired:

(1) Not later than the first day of the seventh month after the date on which the Secretary of the Navy approves the report of a selection board



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upon which the individual is considered as having twice failed of selection to the next higher warrant officer grade.

(2) Marine Corps policy directs that CWOs (CWO2, CWO3, and CWO4) who have twice failed selection and are not retirement eligible, if fully qualified, may be continued until they qualify for retirement. CWOs who twice fail selection for promotion to the next higher chief warrant officer grade will be involuntarily retired not later than the first day of the seventh month after the date on which the Secretary approves the report of the promotion board in which the officer receives the second failure of selection. CWOs who have twice failed selection may be selectively continued based on the needs of the Marine Corps.

b. A chief warrant officer who has twice failed selection and is subject to involuntary separation, may at the warrant officer's request and in the discretion of the Secretary of the Navy be enlisted in a grade prescribed by the Secretary. WOs not promoted will separate, reenlist, or retire as determined by the Secretary of the Navy and the CMC.

\*c. Selective Early Retirement of Regular Warrant Officers. The Secretary of the Navy may convene a selection board under reference (a) Title 10, U.S.C. section 573(c) to recommend regular warrant officers for early retirement as prescribed in reference (a) Title 10, U.S.C. section 581, whenever the needs of the Marine Corps require.

5. Administration/Notification of Status. These administrative procedures shall not in any way jeopardize an officer's competitiveness for promotion. Upon final approval of any promotion board the CMC (MMSR) will:

a. Identify all officers potentially subject to involuntary retirement upon having once failed of selection;

b. Compute their projected mandatory retirement date should the officer incur a second failure of selection;

c. Notify those officers of their potential mandatory retirement date, should they incur a second failure of selection (failure to receive or acknowledge this notification will not in any way modify the mandatory retirement date); and,

d. Adjust the officer's mandatory separation retirement (MSR) date in MCTFS, upon a second failure of selection, for officers in the grade of lieutenant colonel and below.

e. It is each officer's responsibility to know his or her mandatory retirement date. Failure to receive the CMC (MMSR) courtesy notification does not invalidate or defer retirements mandated by law. Officers in doubt as to the effective date of a statutory separation should immediately contact the CMC (MMSR-2).

\*6. Mandatory Retirements Held in Abeyance. Only the Secretary of the Navy has the authority to hold a mandatory retirement in abeyance. Strict

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adherence to procedures outlined in chapters 1 (medical) and 8 (disability) are crucial.

2006. LEAVE. See paragraph 1010 and MCO P1050.3J.

2007. MEDICAL EVALUATIONS. See paragraph 1011.

2008. RETIREMENT CEREMONY. See paragraph 1012.

\*2009. ADVANCEMENT IN GRADE ON THE RETIRED LIST

\*1. An officer or warrant officer is retired in the grade in which he or she satisfactorily served at the time of retirement, as specified in paragraph 2003. However, if the officer previously served in a higher grade than that held at the time of retirement, the officer may be eligible for advancement on the retired list. An officer will be advanced on the retired list to the highest officer grade in which the officer served satisfactorily under a temporary or permanent appointment as determined by the Secretary of the Navy.

2. An officer, who is serving or has served in the grade of lieutenant general or general by reason of appointment for appropriate higher command or performance of duty of grave importance and responsibility, upon retirement, may be appointed by the President, by and with the advice and consent of the Senate, to the highest grade held while on the active list with retired pay based on that grade. However, retired pay of the higher grade based on such an appointment accrues from the date the commission is issued after confirmation by the Senate, regardless of the date of retirement.

3. The Comptroller General has ruled that military personnel may retire in the highest grade held in any Armed Force in which they served satisfactorily without regard to whether that grade was a temporary or permanent grade, even though the Armed Service in which the individual held that higher grade is not the Service in which retired.

2010. RETIRED PAY. See paragraph 1402.

2011. PAY ACCOUNTS. See paragraph 1404.

2012. CURRENT ADDRESS AND RESIDENCE OF RETIRED OFFICERS. See paragraph 1405.

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Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List

\*ADDITIONAL PARAGRAPHS MAY BE ADDED AS DIRECTED BY THE COMMAND

(Letterhead)

From: (Issuing Command)  
To: (Marine Concerned)

Subj: RELEASE FROM ACTIVE DUTY AND TRANSFER TO THE RETIRED LIST

Ref: (a) Title 10, U.S. Code  
\*(b) MCO P1900.16G (MARCORSEPMAN)  
(c) JFTR, par. U5130, U5230, and U5345-H  
\*(d) MCO P5512.11D (ID CARDS)  
\*(e) Online MCTFSPRIUM  
\*(f) MCO P1070.12K W/ CH 1 (IRAM)

Encl: (1) Retired Pay Data Form (DD Form 2656)  
(2) Travel Voucher (DD Form 1351-2)  
(3) Certificate of Retirement

1. On (PRR) you will be placed on the Marine Corps Retired List per references (a) and (b). Accordingly, at 2359 (PRR minus 1 day) you will be detached from your present duty station and released from active duty. You will proceed to your home (MCC W95) and complete all travel within the time specified in reference (c). Active duty pay and allowances terminate (PRR minus 1 day).

\*2. As of (PRR minus 1 day), you will complete (TOT SVC) cumulative service of which (ACTIVE SVC) is active service. You had (INACTIVE SVC) inactive service and earned (INACDU POINTS) inactive duty points equivalent to (INACDU POINTS EQ) months for pay under reference (a). On (PRR minus 1 day), you will complete (RET PAY MULT SVC) service creditable for the retired pay multiplier.

3. Upon receipt of these orders notify your commanding officer of your desires regarding a retirement ceremony per reference (b).

\*4. Your commanding officer will issue an application for an identification card pursuant to reference (d), issue a DD Form 214, and report your retirement per reference (e). You should take your supporting documentation (retirement order, DD Form 214, DD Form 215, etc.) to the nearest Real-time Automated Personnel Identification System (RAPIDS) site for issuance of an identification card, pursuant to reference (d).

5. Furnish the disbursing officer maintaining your active duty pay accounts a copy of these orders for settlement of your pay account.

Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

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Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

Subj: RELEASE FROM ACTIVE DUTY AND TRANSFER TO THE RETIRED LIST

\*6. Enclosure (1), to include a permanent mailing address, should be completed and submitted to your commanding officer or his representative. Your commanding officer is responsible for its forwarding 30 days prior to your approved retirement date to the Defense Finance and Accounting Service at: DFAS, U.S. Military Retirement Pay, P.O. Box 7130, London, KY 40742-7130. Retain a copy of this form for your files. It is your documentation of your Survivor Benefit Plan (SBP) coverage election. Should this form not be received by DFAS, you will have your retired pay reduced to correspond to the maximum SBP coverage and the maximum tax withholding.

7. You have stated that your future address for mailing purposes is: Report changes of address to the Defense Finance and Accounting Service at the address in paragraph 6. You may also telefax your address changes by calling 1-800-469-6559. Additional information can be found at <http://www.dfas.mil/>. Ensure you include your signature over your EDIPI.

8. You may select a home address and receive travel allowance for the travel performed there from this command per reference (c), which also addresses travel and storage and shipment of household goods. Ensure you understand its contents prior to detaching from this command. All travel must be completed within 1 year from the date of your release from active duty and transfer to the retired list. Complete the home of selection endorsement prior to submission of these orders for settlement of travel. Once a home address is selected and travel allowance is received for travel, the selection is irrevocable. Upon completion of travel, forward enclosure (2), along with a copy of your retirement orders and all other supporting documentation, to the servicing Finance/Disbursing Office that supports your last active duty station. Submit claims for DITY move reimbursement to the Commanding Officer, TVCD, 814 Radford Blvd, Marine Corps Logistics Base, Albany, GA 31704-1128.

\*9. The officer having custody of your service record and health (medical and dental) record will forward the originals per reference (f) and ensure a copy of these orders are filed in your Official Military Personnel File (OMPF). You should make and retain a personal copy of these records for safekeeping.

10. Enclosure (3) recognizes your retirement.

\*11. Advise your commanding officer immediately should you be found not physically qualified for retirement. The CMC (MMSR-2) should be notified without delay with pertinent information and requesting disposition instructions.

Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

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Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

Subj: RELEASE FROM ACTIVE DUTY AND TRANSFER TO THE RETIRED LIST

\*12. You may wear your uniform from this command to your home, if travel is performed within 3 months after your release from active duty, and on such occasions as the wearing of the uniform is appropriate, per the Marine Corps Uniform Regulations (reference (ag) MCO P1020.34G paragraph 8003 and 11002).

\*13. Officers in an active duty component code, expenditures under these orders are chargeable to appropriation data contained within the Marine Corps Total Force System (MCTFS) D860 screen. Advance travel payment is authorized. Mobilized officers should use the appropriation data contained within their mobilization orders.

14. As a retired officer of the Regular Marine Corps, in time of war or national emergency declared by the President, the Secretary of the Navy may order you to active duty at sea or on shore.

15. Your presence will be missed by your fellow Marines. We request that you continue to support them in their undertakings. On behalf of the Commandant of the Marine Corps and those with whom you have served, I express sincere appreciation for your faithful service and wish you health, happiness, and every success in the future.

By direction

Copy to:  
Disbursing Officer  
OMPF

Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

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Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List--Continued

HOME OF SELECTION ENDORSEMENT

I certify that I have selected (city), (State) as my home incident to transfer to the Retired List and arrived there on (date). I further certify and understand that this selection, once made and travel allowance is received for travel thereto, is irrevocable and no further entitlement to travel allowances shall accrue.

(Signature)

(Date)

NOTES:

1. All blank spaces should be filled with the appropriate data elements from the RETM screens in MCTFS.
2. The PRR/PRR minus 1 day date should be in "DD Month YYYY" format.
3. All other service data should be in "YY years, MM months, and DD days" format, as appropriate.
4. The following will be inserted as paragraph 3 to these orders for officers who are advanced on the retired list: "The Secretary of the Navy has determined that you are entitled to be advanced on the retired list, with retired pay computed on the basis of the higher rate of basic pay of the two grades involved. I take pleasure in transmitting as enclosure (1), your letter of advancement to the grade of \_\_\_\_\_."

Figure 2-1.--Format for Orders to Release from Active Duty and  
Transfer to the Retired List

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CHAPTER 3

SEPARATION AND RETIREMENT OF RESERVE OFFICERS NOT ON ACTIVE  
DUTY AND RETIREMENT OF ENLISTED RESERVISTS NOT ON ACTIVE DUTY

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CHAPTER 3

SEPARATION AND RETIREMENT OF RESERVE OFFICERS NOT ON ACTIVE  
DUTY AND RETIREMENT OF ENLISTED RESERVISTS NOT ON ACTIVE DUTY

3001. DEFINITIONS. Certain terms have special definitions with reference to Reserve retirements as outlined below.

1. Active Status. The status of a Reservist who is not assigned to the Inactive Status List (ISL) of the Standby Reserve or to the Retired Reserve. A Reservist on the Reserve Active Status List (RASL) may be on active or inactive duty, in the Selected Marine Corps Reserve (SMCR) or Individual Ready Reserve (IRR).

2. Reserve Retirement Credit and Points. Terms used interchangeably which refer to the method provided by law for awarding actual or constructive days of service. Points are used to determine qualifying service creditable toward retirement eligibility, and toward retired pay. They are also used, in part, to determine promotion eligibility and retention in the Ready Reserve.

3. Qualifying Service

a. Qualifying service is credited per reference (a) Title 10, U.S.C. 12732. After 30 June 1949, a year of qualifying service is credited when a minimum of 50 retirement points (including 15 gratuitous membership points) are earned and a full 365 days or 366 days during a leap year period is served during the Marine's anniversary year. See paragraph 3012.

b. In a given anniversary year, retirement point credit resulting in less than a 50 point total is added to a cumulative retirement point total, but that anniversary year is not a qualifying year.

\*4. Anniversary Year. A period of 12 consecutive months 365/366 days during which a Marine must accrue a minimum of 50 points (including gratuitous points) for it to be credited as a qualifying year.

5. Anniversary Date. The date on which the anniversary year commences. It is assigned to Reservists based on the following criteria:

\*a. For Marines of any Reserve component prior to 1 July 1949, the anniversary year begins on 1 July of each year, when continuous active Marine Corps Reserve status is maintained.

\*b. For Marines of any Reserve component after 30 June 1949 but prior to 1 July 1965, the anniversary year begins on the date of entry or reentry. Each succeeding "year" will begin on the anniversary of that date, when continuous active Reserve status is maintained. Any component change (e.g., Regular to Reserve or vice-versa) between 1 July 1949 and 1 July 1965 requires a change in the anniversary date.

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\*c. For Marines of any Reserve component after 30 June 1965, the anniversary year begins on the date of entry or reentry. Each succeeding year will begin on the anniversary of that date, when the Marine does not have a break in military service of greater than 24 hours.

\*(1) Marines of a Reserve component of another branch of the Armed Forces on 1 July 1965, subsequently enlisted or appointed in the Marine Corps Reserve without a break in service of greater than 24 hours, retain the same anniversary date established by the former branch.

\*(2) For Marines formerly members of a Regular component of any branch of the Armed Forces on 1 July 1965, and subsequently assigned to, enlisted or appointed in the Marine Corps Reserve without a break in service of greater than 24 hours, the anniversary year begins on the date of entry into that Regular component in which they served prior to 1 July 1965.

\*d. Assignment to the Inactive Status List (ISL) of the Standby Reserve or to the Temporary Disability Retired List (TDRL) constitutes a break in active Reserve status. Consequently, the anniversary year for Marine removed from the ISL or the TDRL starts on the date they are restored to an active status.

e. To correct an anniversary date, submit a letter with supporting documentation through the chain of command to the CMC (MMSR-5). Copies of all enlistment contracts, extensions, and appointment records are required.

United States Marine Corps  
Manpower and Reserve Affairs (MMSR-5)  
3280 Russell Road  
Quantico, VA 22134-5103

3002. RESIGNATION OF OFFICERS

\*1. The DC, M&RA may accept the voluntary resignation of an officer of the Marine Corps Reserve for reasons established in reference (t) SECNAVINST 1920.6C. The DC, M&RA may deny requests that do not satisfy the criteria set forth in the above reference. Waiver of criteria will only be granted in cases of extreme hardship, extraordinary circumstances or in the best interest of the service. Officers must provide justification and command endorsements.

\*2. Submit letters of resignation to the CMC (MMSR-5) via the Commander, Marine Forces Reserve (COMMARFORRES). Endorsements by the custodian of the officer's service record will contain a statement that the officer has completed all obligated service.

3. Expunging Resignation-Related Material

\*a. Officers who have a resignation withdrawal request approved by the DC, M&RA, or whose resignation is withdrawn or disapproved, may have the resignation letter and related correspondence expunged from their official military personnel file (OMPF) on request.

b. Officers placed on the RASL after a voluntary resignation may, at their request, have any reason submitted in connection with the resignation expunged from their OMPF.

c. Submit requests for removal of a resignation letter and related correspondence or reasons for resignation to the CMC (MMSR-5).

\*4. Separation for Cause. See paragraphs 4103 and 4104.

3003. INVOLUNTARY DISCHARGES

\*1. Reserve commissioned officers may be discharged at the pleasure of the President. All Reserve warrant officers may be discharged at the pleasure of the Secretary of the Navy. For additional provisions concerning the separation of Reserve officers see chapter 4 and reference (t) SECNAVINST 1920.6C; see Chapter 6 of this Manual for separation of enlisted Reservists.

\*2. Probationary Reserve officers and Reserve warrant officers, as defined by reference (t) SECNAVINST 1920.6C, may be separated from the Marine Corps Reserve without the benefit of a hearing or board procedure for substandard performance of duty or for parenthood, per reference (t) SECNAVINST 1920.6C using the notification procedures contained therein.

\*3. Non-probationary Reserve officers and Reserve warrant officers, as defined by reference (t) SECNAVINST 1920.6C, may be separated only upon recommendation of a Board of Inquiry unless separated for age restrictions or lack of mobilization potential.

\*4. Reserve officers and Reserve warrant officers, regardless of length of commissioned service or service as a warrant officer, respectively, may be separated from the Marine Corps Reserve without a hearing or board procedure per paragraph 3003.6 (Lack of Mobilization Potential) or paragraph 3005.2 (Age-In-Grade Restrictions). Use the notification procedures contained in reference (t) SECNAVINST 1920.6C.

5. Mobilization Potential Screening Board. The Secretary of the Navy may, when necessary, convene boards to screen Reserve officers not on active duty, who have completed obligated service, for potential and availability for mobilization to active duty. Eligibility will include, but is not limited to, officers in the following categories:

a. On the ISL of the Standby Reserve for at least 3 years;

b. Found by the Chief, Bureau of Medicine and Surgery not physically qualified for active duty or retention in the Marine Corps Reserve. They will be afforded an opportunity to a full and fair hearing before the PEB prior to final action on their case;

c. Found by the Chief, Bureau of Medicine and Surgery militarily unfit or unsuitable by a medical finding not constituting physical disability. These officers are not entitled to a hearing before the PEB;

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- d. Do not undergo a physical examination as required by regulation;
- e. Do not keep their parent unit informed of a current mailing address;
- f. Do not respond to, or comply with, official correspondence within a reasonable period of time;

g. Decline a permanent appointment to the next higher grade within 6 months of approval of the report of a promotion selection board that recommends the officer for promotion;

h. Not in a critical grade and MOS, earning less than 27 retirement credit points (including membership points) per anniversary year. However, a Reserve officer may not be separated solely for failure to meet this standard when participation is precluded by either of the following:

- (1) Lack of funds resulting in nonavailability of training; or
- (2) Circumstances of an unusual nature (as determined by the CMC on a case-by-case basis).

i. An officer whose ecclesiastical endorsement has been withdrawn.

\*6. Separation for Lack of Mobilization Potential. Prior to convening a mobilization screening board, each officer considered is notified per reference (t) SECNAVINST 1920.6C. Boards are convened under regulations prescribed by the CMC and approved by the Secretary of the Navy. Upon recommendation by a board to separate an officer for lack of mobilization potential, the CMC (RAP) will either:

a. Transfer the officer to the ISL of the Standby Reserve, if the officer is not qualified for, or does not request, transfer to the Retired Reserve;

b. Recommend to the Secretary of the Navy that the officer be transferred to the Retired Reserve, if the officer is qualified and so requests; or

c. Recommend to the Secretary of the Navy that the officer be honorably discharged from the Marine Corps Reserve.

7. A Reserve commissioned officer may be dismissed, and a Reserve warrant officer may be discharged, as the result of an approved sentence of a general court-martial.

\*8. The President or the Secretary of the Navy may drop from the rolls any Marine of the Reserve component in an unauthorized absence status for a period of 3 months or more; or sentenced to confinement in a Federal or State penitentiary or other correctional institution after having been found guilty of an offense by a court other than a court-martial or other military court, and whose sentence has become final.

9. A Reserve officer discharged or separated for cause, other than for lack of mobilization potential as specified in paragraph 3003.5, will be given an honorable or general (under honorable conditions) discharge unless:

a. A discharge under other than honorable conditions is effected pursuant to the approved sentence of a court-martial or the approved findings of a Board of Inquiry convened by competent authority; or

b. The officer consents to discharge under other than honorable conditions in lieu of trial by court-martial or appearing before board proceedings.

3004. TRANSFER OF OFFICERS AND ENLISTED RESERVISTS TO ANOTHER COMPONENT OR SERVICE

\*1. Per reference (au), DoDI 1205.05 provides for service transfers to and from Regular and Reserve components of the military services. Service transfers of Marines shall be to a Regular component or to a Reserve category of equal or greater mobilization potential.

a. The Reservist with a remaining military obligation under law may be transferred when:

(1) The Reservist has special experience or professional, educational, or technical skills which are of greater value to the gaining component than they are to the Reservist's current component; or, the Reservist is willing to acquire such skills needed by the gaining component, or for the national defense;

(2) The Reservist has skills that exceed the requirements of the current component and the skills are needed by the gaining component; or

(3) The losing component has no paid-drill (Selected Reserve) unit to which the Reservist can be usefully assigned within commuting distance of the Reservist's current or anticipated domicile or place of business; and

(4) The gaining component approves the transfer and the losing component:

(a) Approves the transfer; or

(b) Disapproves the transfer and the disapproval is annulled by:

1. The Secretary of the military department concerned or a designee, when both Reserve components are in the same military service; or

2. The Assistant Secretary of Defense (Reserve Affairs), acting for the Secretary of Defense, when the Reserve components are in different military services.

b. The Reservist with no military service obligation under law may be transferred when the gaining component approves the transfer because it is in the best interest of military preparedness.

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\*c. The Reservist desires transfer to enroll in an officer candidate program (including college-level Reserve Officer Training Corps) and the prospective gaining component accepts the Marine.

(1) The losing component will approve the transfer if the Reservist has no remaining service obligation under law.

\* (2) If the Reservist has remaining obligation under law, the losing component will approve the transfer, unless loss of the Marine results in serious degradation of unit readiness which cannot be offset by the recruitment of a replacement.

2. Interservice transfer will be accomplished by discharge from the Reservist's current Reserve component for immediate enlistment or appointment in the gaining Reserve component. The following conditions apply:

\*a. Discharge and reenlistment, appointment in another Reserve component, or termination of current commission and reappointment in another component will be accomplished without interrupting the continuity of the Reservist's total military service. Credit these Marines with the total amount of military service accrued as of the date of transfer.

b. Discharge for interservice transfer under this Manual will not constitute release from, or fulfillment of, military service obligation established by law. However, additional service performed after such discharge will be counted towards fulfillment of that obligation.

3. Exceptions/Limitations. The policies in paragraphs 3004.1 and 3004.2 are subject to the following:

\*a. A Marine, who initially becomes a member of an armed force, after 1 June 1984, will serve for a total of 8 years. Any part of such service that is not active duty or active duty for training will be performed in a Reserve component. Unless pursuant to regulations prescribed by the Secretary of the Navy, when an officer is promoted to a higher reserve grade, the officer will be retained in an active status in his reserve grade for the remaining period of required service and may be only discharged because of personal hardship under regulations prescribed by the Secretary of the Defense. A Reservist without remaining military service obligation under law, who received a bonus for the current term of enlistment, must honor the conditions of the bonus agreement in full, unless the losing component concurs that the transfer is in the best interest of national defense.

b. A Reservist without remaining military service obligation under law, who served on active duty for training for more than 30 consecutive days during the current enlistment or during the current time in grade (in the case of an officer), must honor all service obligations, unless the losing component concurs that the transfer is in the best interest of national defense.

c. An officer may not be transferred from one Reserve component and appointed as a Reserve officer in another with a higher grade or precedence than that held on the day before the transfer.

\*4. Requests for transfer may be initiated by the Reservist, or by appropriate authority in the gaining component with the individual's consent.

\*a. An enlisted Marine desiring transfer will submit an application per figure 3-1.

\*b. An officer desiring transfer will submit an application per figure 3-2.

5. Endorsements for transfer requests by a Reservist with a remaining military service obligation must contain:

a. A statement from the losing component concurring in the requested action and affirming that the transfer is in the best interest of national defense and the Reservist concerned. Justify any nonconcurrency.

b. A statement from the gaining component indicating that the Reservist requesting transfer is acceptable and will be assigned to an approved training program. Justify any nonconcurrency.

6. Endorsements for transfer requests by Reservists without military service obligation under law must contain a statement from the gaining component that the Reservist requesting transfer is acceptable and will be assigned to an approved training program. Justify any nonconcurrency.

\*7. Request by Authorities of the Gaining Component. The DD Form 368, REQUEST FOR CONDITIONAL RELEASE, shall be used in all cases involving inter-service transfers and may be used for intra-service transfers. Section I of DD Form 368 shall be completed by an appropriate authority of the requesting service or component and forwarded to the Marine's current service or component for action. DD Form 368 shall not be used to enroll a Marine of a Reserve component into the delayed entry program of a Regular component. The Marine's service or component shall respond to the requesting service or component within 30 days of receipt of DD Form 368. The requesting service or component shall not enlist or appoint the Marine without the approval of the losing service or component. DD Form 368 will not be signed prior to approval of inter-service transfer from the authority listed below and the Marine shall continue to perform all duties until that time. See reference reference (au) DoDI 1205.05.

a. Approval Authority

\* (1) COMMARFORRES for non-AR enlisted personnel.

(2) The CMC (DC M&RA via MMSR-5) for officers.

\* (3) The CMC (RAM) for AR enlisted Marines.

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8. Requests for transfer, with complete documentation, will be forwarded through the gaining component to the losing component.

9. Upon final approval of a request for transfer, the gaining component will furnish a copy of the DD Form 4, Enlistment/Reenlistment Document-Armed Forces of the United States, or appointment order, to the losing Reserve component within 15 days to permit a timely discharge.

3005. RETIREMENT OR SEPARATION FOR AGE AND SERVICE

\*1. If an eligible Marine at age or service limits fails to request retirement, he/she will be involuntarily transferred to the Retired Reserve or discharged, unless retired or separated earlier.

\*a. In accordance with reference (a) Title 10, U.S.C. section 14509, Reserve officers below the grade of brigadier general shall be separated, or transferred to the Retired Reserve if eligible, on the last day of the month in which the officer becomes 62 years of age, unless recommended for promotion to the grade of brigadier general.

\*b. In accordance with reference (a) Title 10, U.S.C. section 14510, Reserve officers in the grade of brigadier general who have not been recommended for promotion to major general shall be separated on the last day of the month in which the officer becomes 62 years of age.

\*c. In accordance with reference (a) Title 10, U.S.C. section 14511, Reserve officers in the grade of major general or above shall be separated on the last day of the month in which the officer becomes 64 years of age. The retirement of a Reserve officer in the grade of lieutenant general or general may be deferred by the President, not to exceed the first day of the month following the month in which the officer becomes 68 years of age. The Secretary of Defense may defer the retirement of a lieutenant general or general, not to exceed the first day of the month following the month in which the officer becomes 66 years of age.

\*d. The Secretary of the Navy and the Secretary of Defense may defer the retirement of Reserve colonels and above, not to exceed the first day of the month following the month in which the officer becomes age 66, in accordance with the restrictions established under reference (a) Title 10, U.S.C. section 14512.

\*2. Enlisted Marines who meet the qualifications for retirement with pay will be transferred, at their request, to the Retired Reserve effective the first day of the month following their 60th birthday. Marines unable to satisfy the requirement for a Reserve retirement with pay at age 60 will be discharged by their parent command.

\*a. Reenlistments/extensions for enlisted Marines will not normally be approved for a period which will result in serving past the last day of the month in which the Marine becomes 60 years of age.



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\*b. Staff Noncommissioned Officers with more than 18 years of qualifying service may be authorized by DC, M&RA to remain in an active status until the first day of the month following the Marine's 62nd birthday.

\*c. Reserve Marines may, with their consent and by order of the CMC, be retained on active service following mandatory retirement for maximum age and/or service, and receive credit towards their retired pay, see paragraph 1501.

3006. RETIREMENT OR SEPARATION OF OFFICERS TWICE FAILED OF SELECTION FOR PROMOTION AND/OR THOSE OFFICERS AT SERVICE LIMITATION

1. Warrant Officers. Except for those Reserve warrant officers meeting the requirements of paragraph 3008, the provisions of this paragraph apply to Reserve warrant officers of permanent grade in an active status.

\*a. In accordance with reference (as) SECNAVINST 1412.9B, CWO-2s and CWO-3s considered as having twice failed of selection for promotion to the next higher grade will be removed from an active status on the first day of the seventh month following the second failure of selection unless continued under the provisions of paragraph 3008.

b. CWO-4s considered as having twice failed of selection for promotion to CWO-5 will be continued in an active status until completion of 30 years of qualifying service, unless earlier separated by other provisions of law due to age or failure to meet minimum participation requirements. Any chief warrant officer with 30 years of qualifying service eligible for a Reserve retirement with pay at age 60, in the absence of a retirement request, will be involuntarily placed on the Reserve retirement list awaiting pay effective the first day of the sixth month following completion of such service, unless selectively continued to meet the needs of the Ready Reserve as determined by the CMC.

\*2. Lieutenants/Captains. Per paragraph 3008, a Reserve Officer in an active status in the permanent grade of first lieutenant or captain considered as having twice failed of selection for promotion to the next higher grade shall be removed from an active status not later than the first day of the seventh month following the month the board results are approved by the President. An officer to be removed from an active status under this paragraph will, if qualified, be given the opportunity to request transfer to the Retired Reserve. If not so transferred, the officer will be transferred to the ISL of the Standby Reserve or will be discharged from the Marine Corps Reserve. In accordance with reference (a) Title 10, U.S.C. section 14504, a first lieutenant twice failed for selection may be retained by the Secretary of the Navy in order to meet planned mobilization needs for a period not to exceed 24 months.

3. Majors/Lieutenant Colonels/Colonels

a. Majors. Reserve Majors in an active status considered having twice failed of selection for promotion to the next higher grade shall be removed from the active status list, retired if eligible, or discharged on the first day of the month following completion of 20 years of commissioned service

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unless retained in an active status under the provision of paragraph 3008.1 or continued under the provisions of paragraph 3008.4. If a Reserve major has already completed 20 years of commissioned service when the second failure of selection occurs then the officer shall be separated on the first day of the seventh month following the month the board results are approved by the President.

b. Lieutenant Colonels/Colonels. Reserve lieutenant colonels and Reserve colonels, unless retained in an active status under the provision of 3008.1 or continued under the provisions of paragraph 3008.4, shall be removed from an active status, retired, or discharged on the first day of the month following completion of 28 and 30 years of commissioned service respectively.

\*4. Total Commissioned Service. Per reference (a) Title 10, U.S.C. section 14706, a Reserve officer's years of service include all service, other than constructive service, of the officer as a commissioned officer of any uniformed service (other than service as a warrant officer). Such service is calculated from the first date of appointment. For example a Reserve major who was first commissioned on 15 January 1979 would complete 20 years of commissioned service on 14 January 1999, as long as there is no break in service of 24 hours or more. Time spent on the Inactive Status List although not creditable for retirement purposes, is creditable towards an officer's commissioned service.

3007. RETIREMENT OR SEPARATION FOR UNSATISFACTORY PARTICIPATION

1. Per reference (a) Title 10, U.S.C. section 12642 and reference (t) SECNAVINST 1920.6C, Reserve officers who complete their obligated service, but are not eligible for a Reserve retirement and are credited at the end of their anniversary year with less than the 27 retirement points (including membership points) required to maintain an active status, will be transferred to the ISL of the Standby Reserve.

2. Reserve officers are not removed from an active status for failure to earn 27 Reserve retirement credit points per anniversary year if:

a. A request for active duty for training during the anniversary year is denied by reason of lack of funds or facilities; or

b. There is a mobilization requirement for their military or civilian skills and a sufficient number of Reservists in an active status are not available to meet the requirement.

\*3. Per reference (au) DoDI 1200.15, Reserve officers qualified for retirement under reference (a) Title 10, U.S.C. sections 12731 and 12732, are required to earn 50 retirement points annually to be retained in the Ready Reserve or on the ASL of the Standby Reserve. The Commander, MARFORRES will inform (by certified mail, return receipt requested) each non-obligor Reserve officer who has not met prescribed Reserve participation requirements of his or her immediate transfer to the ISL. The Marine may request a "one-time" waiver of the prescribed 50 point minimum requirement for the unsatisfactory

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anniversary year or the Marine may request to retire. If a "one-time" waiver is granted, the Marine will be reinstated to the RASL and will be assigned a new anniversary date. The waiver does not make the unsatisfactory year qualifying for retirement purposes and only allows the Marine to continue on the RASL. Requests for a "one-time" waiver are submitted to the CMC (MMSR-5).

4. Officers who have completed a 3 year period on the ISL will be examined by the Reserve Officers Mobilization Potential Screening Board described in paragraph 3003.5. The board is convened by the Commander, MARFORRES per reference (e) MCO 1001R.1K and reviews the record of each eligible Reserve officer recommending one of the following:

a. Return to an active status in the Ready Reserve, if physically and otherwise qualified;

b. Transfer to the Retired Reserve, if qualified; or

\*c. Discharge, per this Manual and reference (t) SECNAVINST 1920.6C.

3008. EXCEPTIONS TO MANDATORY RETIREMENT OR SEPARATION

\*1. Safety/Sanctuary Zone. In accordance with reference (a) Title 10, U.S.C. section 12646, paragraph 3006 does not apply to reserve officers who have completed at least 18 years of qualifying service.

\*a. Reserve officers credited with at least 18, but less than 19, years of qualifying service on their mandatory removal date may not be involuntarily transferred to an inactive status before the earlier of the following dates: (1) the date they complete 20 years of qualifying service, or (2) the third anniversary following the mandatory removal date.

\*b. Reserve officers credited with at least 19, but less than 20, years of qualifying service on their mandatory removal date may not be involuntarily transferred to an inactive status before the earlier of the following dates: (1) the date they complete 20 years of qualifying service, or (2) the second anniversary following the mandatory removal date.

2. The safety zones referred to above do not apply to a Marine who cannot meet all requirements for a reserve retirement with pay (see paragraph 3011) by the end of the safety zone period.

\*3. Notwithstanding paragraph 3006, a Reserve commissioned officer, other than a commissioned warrant officer, who is assigned to the Selective Service System may be retained in an active status in that assignment until the officer becomes 62 years of age reference (a) Title (10, U.S.C. section 12647). Retention under this provision is subject to the needs of the Selective Service System.

4. Continuation of Reserve Officers is based upon the following law and policy:

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\*a. Reference (a) Title 10, U.S.C. section 14701 provides the Secretary of the Navy with the option of continuing Reserve officers in the grades of major through colonel beyond the maximum service limitations of 20 years commissioned service (YCS), 28 YCS, and 30 YCS respectively, to 24 YCS, 33 YCS, and 35 YCS respectively. In addition, Reserve officers in the grade of captain with two failures for selection to promotion to the next higher grade may be continued to 20 YCS. Reference (ap) SECNAVINST 1920.7B and reference (as) SECNAVINST 1412.9B further delegate continuation of commissioned officers and chief warrant officers (respectively) to CMC (DC, M&RA).

b. Continuation opportunities are limited and based on the needs of the Marine Corps. Except in cases involving extraordinary circumstances and receiving approval of DC (M&RA), an officer will not be continued beyond retirement eligibility. Additionally, those officers whose service places them within the confines of reference (a) Title 10, U.S.C. sections 12646 or 12686 (active duty) are subject to sanctuary and shall not be considered for continuation. Current Reserve Policy provides for the continuation on the RASL of the following categories of Reserve officers:

(1) Chief Warrant Officers

(a) Active Reserve (AR) CWO2, CWO3, & CWO4 who have twice failed for selection by an AR promotion board may be continued until twice failed for selection by an Other than Active Reserve (OTAR) board.

\* (b) AR CWO2, CWO3, & CWO4 who have twice failed for selection by an AR promotion board, and are within six years of qualifying for retirement with 20 years of active duty under reference (a) Title 10, U.S.C. section 6323, may be continued.

\* (c) OTAR CWO2, CWO3 and CWO4, who have twice failed for selection by an OTAR promotion board, and are within six years of qualifying for retirement with 20 years of qualifying service under reference (a) Title 10, U.S.C. 12731, may be continued.

(2) Captains

(a) AR officers who have twice failed for selection by an AR promotion board may be continued until twice failed for selection by an Unrestricted Reserve promotion board.

(b) Unrestricted Reserve officers who have twice failed for selection by an Unrestricted Reserve promotion board and will qualify for retirement under reference (a) Title 10, U.S.C. section 12731 within six years of the date of such continuation may be continued.

(3) Majors

(a) AR officers who have twice failed for selection by an AR promotion board may be continued until twice failed for selection by an Unrestricted Reserve promotion board.

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\* (b) AR officers who have twice failed for selection by an AR promotion board, and are within six years of qualifying for retirement with 20 years of active duty under reference (a) Title 10, U.S.C. section 6323, may be continued.

(c) Unrestricted reserve officers who have twice failed for selection by an Unrestricted Reserve promotion board and will qualify for retirement under reference (a) Title 10, U.S.C. section 12731 within six years of the date of such continuation, may be continued.

c. Eligible officers who are selected for continuation must be fully qualified for continuation, and their continuation must be in the best interests of the Marine Corps. "Fully Qualified" means that the officer's record clearly demonstrates performance in a satisfactory manner considering the grade and technical specialty held, and that the officer continues to meet the Marine Corps' standards of performance and conduct. Additionally, an accurate record of service, as reflected in the Career Retirement Credit Record (CRCR), is a key determinant in continuation consideration. Continued officers are notified by the CMC (MMSR-5).

d. Officers not desiring to be continued are required to decline continuation in writing to the CMC (MMSR-5) prior to their original mandatory removal date (MRD).

\*5. Continuation Process. Officers requiring continuation on the RASL will be automatically considered for continuation upon the release of the Reserve officer promotion board results.

\*a. CMC(MMSR) will:

\* (1) Identify which Reserve officers require and are eligible for continuation, upon the release of Reserve officer promotion board results.

\* (2) Forward a list of all officers eligible for continuation to CMC(RA) for approval or disapproval of continuation.

\* (3) Upon CMC(RA) determination, submit a continuation letter to officers notifying them of their continuation status. A copy of this letter will be provided to CMC(MMRP), for placement in the OMPF, and to CMC(RAM).

\* (4) Adjust the officers' mandatory removal date in MCTFS.

\* (5) Maintain statistical data on the numbers, by grade, of Reserve commissioned officers continued and not continued on the RASL.

\*b. CMC(RA) is the approval/denial authority for continuation and will:

\* (1) Review each officer's entire military record and ensure CMC(JA) screens all eligible officers for adverse material.

\* (2) Approve eligible and fully qualified officers for continuation.

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\*(a) If an officer has no adverse material to be considered and is recommended for continuation, CMC(RAP) may approve continuation.

\*(b) If an officer has any adverse fitness reports, has been named the subject of an investigation, or is currently listed in the officer disciplinary notebook, the approval/denial authority is CMC(RA) and will not be delegated.

\*(3) Provide determination to CMC(MMSR) for each officer's continuation consideration.

3009. RETIRED RESERVE

1. The Retired Reserve consists of Reservists transferred or assigned to the Retired Reserve under the provisions of reference (a) Title 10, U.S.C. section 10154.

\*2. Enlisted Marines must be serving within the unexpired term of an enlistment contract or on a valid extension to the enlistment contract on the effective date of transfer to the Retired Reserve. Discharge by reason of expiration of enlistment, effected before transfer to the Retired Reserve, separates a Marine from the Marine Corps Reserve. Discharged Marines must petition BCNR to request transfer to the Retired Reserve Awaiting Pay at Age 60. Former Marines are not entitled to transfer to the Retired Reserve or any retirement benefits except as may be provided by law (see paragraph 3019).

\*3010. RETIREMENT WITH PAY BASED ON ACTIVE DUTY SERVICE

\*1. Reserve commissioned officers on active duty who have completed more than 20 years of active duty, of which at least 10 years was served as a commissioned officer, may request retirement under the provisions of chapter 2 of this Manual.

\*2. Enlisted Reservists on active duty who have completed 20 years of active duty may request transfer to the Fleet Marine Corps Reserve (FMCR) or retirement under the provisions of chapter 7 of this Manual.

3011. TRANSFER TO THE RESERVE RETIRED LIST WITH PAY

1. A Reservist who completes 20 qualifying years of service (not necessarily continuous) is eligible, upon application, to transfer to the Reserve Retired List and to receive retired pay and benefits per the following:

\*a. Under the provisions of The National Defense Authorization Act for 2005, a reservist who completes 20 years of qualifying service on or after 25 April 2005 no longer needs to have the last 6 years in a reserve component.

\*b. Marines who earned 20 years or more of qualifying service before 25 April 2005 must perform the last 6 years of qualifying service while in a Reserve component. The last 6 years of qualifying service does not have to be continuous. However, per reference (a) Title 10, U.S.C. section 12731, if

a period of service in a Regular component intervenes between periods of Reserve service totaling the required 6 years, then that period of Regular service cannot be applied toward meeting the criteria of subparagraph 3011.1a. For example, a Marine served in the Regular Marine Corps for 16 years. The Marine then enlisted in or was appointed to the Marine Corps Reserve and reached 20 years of qualifying service on or before 25 April 2005. The Marine's 17th through 20th years count for 4 years towards the 6 year requirement in a Reserve component. The Marine must serve an additional 2 qualifying years of Reserve service.

c. The Marine must not be entitled to retired pay from an Armed Force under any provision of law besides reference (a) Title 10, U.S.C. section 12731.

\*2. Per reference (a) Title 10, U.S.C. section 12731(d), a Marine who completes the years of service required for eligibility for retired pay under this paragraph will be notified in writing within 1 year after completing this service. This notification will be issued by the CMC (MMSR-5). Do not submit individual requests unless a qualified Marine does not receive notification within the prescribed 1 year period. Only the CMC (MMSR-5) is authorized to issue an official statement of service to Reservists. No summary of retirement credits/qualifying years (i.e., the automated Career Retirement Credit Record) is presented to a Reservist as an official statement of service unless it has been audited and certified by the CMC (MMSR-5).

### 3012. QUALIFYING SERVICE

\*1. To determine whether a Marine has completed the required 20 years of qualifying service for retired pay purposes, the individual's years of service (less time lost) performed in the status of a commissioned officer, warrant officer, or enlisted Marine are creditable. Creditable service as a midshipman or cadet is governed by reference (f) DoDFMR 7000.14-R, Volume 7A, Ch 1.

a. Service Before 1 July 1949. Contact the CMC (MMSR-5).

\*b. Service After 1 July 1949. Add the Marine's years of service for each anniversary year in which at least 50 points were credited as follows:

(1) One point for each day of active service, including annual training duty or while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned.

(2) One point for each period of inactive duty, instruction or period of equivalent instruction (including completion of an approved correspondence course) that was prescribed for that year by the Secretary of the military department concerned and conforming to the requirements prescribed by law, including attendance at National Guard training.

\* (3) Points for membership at the rate of 15 per anniversary year of service in any Reserve component of the Armed Forces, including the U.S. Coast Guard Reserve and the Army or Air National Guard. Membership points

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are not deducted or pro-rated for periods of active duty or active duty for training, if the Marine belongs to a Reserve component. If the Marine is on active duty all or most of the year, the limit on total retirement points in subparagraph 3012.1b(5) applies.

\* (4) Table 3-1 shows the criteria for awarding retirement points for a variety of miscellaneous activities including associate duty and appropriate duty. See the current edition of reference (e) MCO 1001R.1K for further instructions on awarding retirement points.

(5) Retirement Point Credit Limitations. For retired pay purposes:

(a) Total points credited since 30 June 1949 may not exceed 365 days in a normal year or 366 days in a leap year.

(b) Total retirement points credited for inactive duty participation in any anniversary year may not exceed the following stipulations (excluding funeral honor points): 130 points for anniversary years closing on or after 30 October 2007, 90 points for anniversary years closing on or after 30 October 2000; 75 points for anniversary years closing between 23 September 1996 and 29 October 2000; and 60 points for anniversary years closing prior to 23 September 1996.

(c) Retirement points earned during one anniversary year may not be credited to another anniversary year.

\* (6) Partial Anniversary Year. A period of service of less than 365 days in which the Marine earned the minimum points required to make that period of service qualifying for retirement purposes (see figure 3-3). Two or more partial years of service may be combined to complete a full year of qualifying service.

(a) If a Marine was in an active status for only a portion of an anniversary year, that year will not be credited as a full year of qualifying service for retirement purposes, regardless of the number of retirement points earned while in an active status during that particular year. The time the Marine was in an active status will be considered as a partial year of qualifying service provided the Marine earned the required points, on a pro rata basis, during that particular period.

(b) Figure 3-4 shows partial year membership points awarded for less than a full anniversary year or for only those portions of an anniversary year spent in a Reserve component.

(c) To pro-rate qualifying service, the Marine must be removed from an active status before the end of the Marine's anniversary period by discharge, transfer to the ISL or TDRL, or transfer to the Retired Reserve. Additionally, the Marine must earn the minimum points required for the number of days served. Example: A Reservist in an active status for 180 days is required to earn 25 points to make the period "qualifying." However, if the Reservist remained in an active status for 190 days and only earned 26 points, the period would not be qualifying. During the pro-rated period, the



Marine must earn the minimum number of points to qualify for that pro-rated period. If a Marine continues in an active status longer than the pro-rated period and fails to earn additional points, then that period may become non-qualifying. See Figure 3-3 - Minimum Points Required to Establish a Partial Anniversary Year as Qualifying Service.

(7) Time Not Creditable

(a) The following service will not be counted in computation of years of service under this paragraph or for years of service for the computation or retired pay under paragraph 3013:

1. Service on the ISL of the Standby Reserve.
2. Time after retirement or transfer to the Retired Reserve.

\* (b) Marines of the Reserve are not eligible to earn retirement credits while on the ISL, TDRL, or in the Retired Reserve and are not entitled to gratuitous credits for membership during these periods per reference (a) Title 10, U.S.C. 12734.

c. Creditable service is defined per reference (f) DoDFMR 7000.14-R, and provides an all inclusive list for service that is not creditable for computation of retired pay.

2. Retired Grade Determination (Officers)

\*a. A Reserve commissioned officer may be retired in the highest grade held, if the Marine completed at least six months satisfactory service in that grade prior to transfer from an active status *solely* due to the following reasons:

\* (1) Transfer/discharge for maximum age or years of service required by a *nondiscretionary* provision of law.

\* (2) Transfer/discharge because of a physical disability, as determined by a medical evaluation board, for which the Marine no longer meets the qualifications for membership in the Ready Reserve.

b. Unless entitled to a higher grade under another provision of law, a Reserve commissioned officer above the grade of chief warrant officer (CWO-5) who requests voluntary retirement will be retired in the highest grade satisfactorily held upon completion of the following minimum service-in-grade requirements:

<u>Grade</u>	<u>Component</u>	<u>Minimum Service-in-Grade</u>
O-1 - O-4	Inactive Duty	6 months
O-1 & O-2	AR	6 months
O-3 & O-4	AR	2 years
O-5 & above	ALL	3 years (2 years until 31 December 2001)

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3. Retired Grade Determination (Warrant Officers). A warrant officer retires in the permanent Reserve warrant officer grade that he/she held on the day before the date of retirement, or in any higher warrant officer grade in which he/she served on active duty satisfactorily, as determined by the Secretary of the Navy, for a period of not less than 30 days, per reference (a) Title 10, U.S.C. section 1371.

\*4. Retired Grade Determination (Enlisted Personnel). Enlisted Marines upon transfer to the Retired Reserve will be placed on the reserve retired list in the highest grade in which they have served satisfactorily. Reservists in the grades of E-7 through E-9 must serve 2 satisfactory years from the date of promotion. The CMC (MMSR-5) will make the determination of satisfactory service. Factors used in making this determination are:

a. Time served in the current or higher grade or to service limits, whichever occurs first.

b. Any report of misconduct, moral or professional dereliction, conduct not in the best interest of national security, or conviction by court-martial.

c. The nature and severity of any misconduct.

5. Retired Grade Determination (Additional Factors)

\*a. Inactive duty personnel are required to earn a minimum of 50 retirement points to satisfy each year of the service-in-grade requirement. A period less than a full year is made a qualifying year by earning the required number points shown in Figure 3-3 for the actual number of days served in the period. Marines must keep in mind that the service-in-grade requirement begins on the date of promotion which in most cases does not coincide with the Marine's anniversary year, therefore requiring partial periods of service to meet time-in-grade requirements.

\*b. If the CMC determines that a Marine's service is not satisfactory in the highest grade, the retired grade will be the grade in which satisfactory service was last performed.

3013. COMPUTATION OF RETIRED PAY

\*1. The monthly retired pay of a Marine entitled to Reserve retired pay is computed by the following formula:

$$(P \text{ divided by } 360) \times .025 \times B = \$/\text{month}$$

P = total number of retirement points.

B = monthly base pay at rates applicable on the date when retired pay is granted for the highest grade held satisfactorily at anytime in the Armed Forces and YOS.

YOS = years of service for basic pay purposes are computed from pay entry base date (PEBD) to date of first eligibility for retired pay (date of separation if a former member, who became a member after 7 Sep 1980).

\*2. To determine the total number of retirement points earned after 1 July 1949, add the following items:

\*a. Active duty points under subparagraph 3012.1b(1)

\*b. Inactive duty points creditable towards retirement under subparagraphs 3012.1b(2) and 3012.1b(3), within the limits described in 3012.1b(5).

\*c. To determine the total number of retirement points earned before 1 July 1949, contact the CMC (MMSR-5).

\*3. Retired base pay is determined by date of first entry into the Armed Forces (DOEAF).

\*a. Final Pay Retirement System. Final Pay applies to those who entered the Service before September 8, 1980. Each year of service is worth 2.5% toward the retirement multiplier. Years of service are computed from the pay entry base date (PEBD) to the date of first eligibility for retired pay. Hence,  $2.5\% \times 20 \text{ years} = 50\%$  and  $2.5\% \times 30 \text{ years} = 75\%$ . This multiplier is applied against the final basic pay of the Marine's career or to the base pay at the applicable rate when retired pay is granted.

\*b. High-3 Year Average Retirement System. This system applies to Marines who first entered service after September 7, 1980. Monthly base pay is the average of the previous 36 months of base pay at rates applicable on the date when retired pay is granted for the highest grade held satisfactorily at any time in the Armed Forces and YOS.

\*c. After 30 October 2000, the retired pay base for enlisted Marines reduced in grade, or Marine officers that do not meet the TIG requirement and are retired in a lesser grade are computed under the "pre-high-three" rules, or the Final Pay retirement system using their retired grade.

\*3014. RETIREMENT OF RESERVISTS NOT QUALIFIED FOR RETIRED PAY (HONORARY RETIREMENT). The Armed Forces Reserve Act of 1952 repealed provisions relating to the honorary retired lists. The Act provided for retirement and retired pay for a period of 20 years from the date of enactment on 9 July 1952. Marines transferred to the Retired Reserve in an honorary status are accorded the privileges under paragraph 3018.3. The Uniformed Services Identification and Privilege Card and/or replacements are no longer issued to honorary retirees.

3017

3015. PHYSICAL DISABILITY RETIREMENT

\*1. See chapter 8 concerning eligibility of Reservists for physical disability retirement. Reservists retired for physical disability under reference (a) Title 10, U.S.C. chapter 61 are entitled to the same pay, rights, benefits and privileges provided by law or regulation for retired Marines of the Regular Marine Corps.

2. Reservists not on active duty who are found not physically qualified for retention in the Marine Corps Reserve and who have completed a minimum of 15 years of qualifying service may be transferred to the Retired Reserve Awaiting Pay at Age 60 as long as such physical disability is not the result of:

\*a. The Marine's intentional misconduct, willful neglect or willful failure to comply with the standards and qualifications for retention established by the Secretary of the Navy; or

b. Such disability was incurred during a period of unauthorized absence.

\*3. Those Reservists not on active duty who are found not physically qualified for retention in the Marine Corps Reserve with less than 15 years of qualifying service will be processed per paragraph 8607.

3016. APPLICATION FOR TRANSFER TO THE RETIRED RESERVE AWAITING PAY AT AGE 60

\*1. Submission of Requests. Requests for voluntary retirement will be submitted by the reporting command via the unit diary system per reference (ax) OnLine MCTFSPRIUM. Requests outside the 4 to 14 month submission timeframe must be submitted via separate correspondence to the CMC (MMSR-5) with justification and command endorsements. Requests will be submitted using the application contained in Figure 3-5.

a. Per reference (x) Title 5 U.S.C. section 8301, the effective date of retirement must be the first day of the month and cannot be later than the first day of the month following mandatory removal dates.

2. Approval/disapproval of all requests will be issued by the CMC (MMSR-5) via unit diary. See paragraph 3020 and Appendix E for additional instructions.

3017. APPLICATION FOR RETIRED PAY BENEFITS AT AGE 60

\*1. Retired pay benefits must be requested; the process is not automatic. Marines of the Retired Reserve and former members of the Reserve who are eligible under paragraph 3011 may apply for retired pay by the use of DD Form 108 (Application for Retired Pay Benefits).

\*2. The CMC (MMSR-5) provides a DD Form 108 to Marines on the Reserve Retired List Awaiting Pay at Age 60, approximately 6 months prior to their 60th birthday or earlier if eligible per reference (au) DoDI 1200.15. DD Form 108 contains a summary of creditable service for the Marine's

verification. Should an eligible Marine not receive the form within the above time frame, notify the CMC (MMSR-5).

\*3. Marines must submit a DD Form 2656 to DFAS. Marines must also sign the DD Form 108 and return it to the CMC (MMSR-5) at least 3 months prior to their date eligible for retired pay.

3018. STATUS IN THE RETIRED RESERVE

\*1. Per reference (a) Title 10, U.S.C. section 12301, a member of the Retired Reserve may be ordered to active duty in time of war or national emergency declared by Congress; or when otherwise authorized by law. No member of the Retired Reserve may be ordered to active duty without the Marine's consent unless the Secretary of the Navy, with the approval of the Secretary of Defense, determines that adequate numbers of qualified members of the Ready and Standby Reserve in an active status are not readily available.

2. The following applies to Marines of the Retired Reserve:

\*a. Marines are not eligible to earn retirement credits or accrue additional qualifying service unless ordered to active duty per paragraph 3018.1.

\*b. Marines are not required, or eligible, to participate in any training or other programs of the Marine Corps Reserve in a pay status.

\*c. Marines are not required to submit qualification questionnaires or obtain periodic physical examinations.

3. Retired Reservists not qualified for retired pay (honorary retirement) are entitled to the following privileges:

a. Retain their grade as a member of the Marine Corps Reserve.

b. Wear the prescribed uniform upon appropriate occasion or ceremony, per reference (ag) MCO P1020.34G.

c. Use service club/open mess facilities when local space and staff capabilities permit, if authorized by membership rules.

4. Marines of the Retired Reserve awaiting pay at age 60 are entitled to the following additional privileges:

a. Unlimited access to military exchanges and morale, welfare and recreation facilities.

b. Unlimited use of military commissaries.

c. Space available transportation within the CONUS on DoD aircraft, upon presentation of a notification of eligibility for retired pay at age 60.

3019

\*d. Identification card, DD Form 2 (Reserve Retired), for identification purposes only.

\*e. Enrollment in TRICARE Retired Reserve (TRR) that qualified retired reserve Marines and survivors may purchase.

\*5. Marines of the Retired Reserve with pay are further entitled to:

\*a. Retired pay effective at age 60 or earlier per reference (aw) DoDI 1215.07.

\*b. Medical care at a military treatment facility (MTF) on a space available basis and under TRICARE, for those members who are age 60 or older and in receipt of pay.

\*c. Identification card, DD Form 2 (Retired) authorizing appropriate benefits and privileges. In those instances where the retiree is eligible to receive retired pay prior to age 60, the medical benefits start date on the back of the card will be equal to the retiree's 60th birthday.

\*d. Space available transportation via Air Mobility Command.

3019. STATUS OF FORMER MEMBERS

\*1. Former members of the Marine Corps Reserve who have resigned or been discharged may apply for retired pay under paragraph 3017 above, if they otherwise were qualified (i.e., at least 20 years of qualifying service per paragraph 3011) and meet the Reserve participation requirements in effect on the date of discharge. Such former members may receive retired pay, but are not carried on the Retired List and are ineligible for certain privileges or rights of the Retired Reserve. These Marines retain their civilian status. Former Marines entitled to retired pay at age 60 who have not yet attained age 60 are entitled to a DD Form 2 (Reserve Retired) authorizing commissary, exchange, and morale, welfare and recreation privileges. Former members who are age 60 or over and in receipt of retired pay are issued the DD Form 2765 which, in addition to the aforementioned privileges, authorizes medical care at military treatment facilities (MTF) and under TRICARE.

\*2. An enlisted Marine who requests discharge effective upon completion of 20 or more years of qualifying service, or whose enlistment expires after completion of that service, should petition BCNR to transfer to the Retired Reserve Awaiting Pay.

\*3. Former members who became members after 7 September 1980, and apply for retired pay upon reaching age 60 will have their pay computed under the High-3 method at the rate in effect at the time of discharge without adjustment for cost of living allowances effected between the time of discharge and the start of retired pay. The reduction in pay is substantial. Former members who became members before 8 September 1980, and apply for retired pay upon reaching age 60, will have their pay computed under the Final Pay method, determined at the rates applicable on the date retired pay is granted.

4. Transfer to the Retired Reserve is not automatic; it must be requested.

3020. AUTHORITY TO RELEASE AND SEPARATION ORDERS

\*1. The CMC (MMSR-5) will issue separation approval/disapproval authority via the unit diary. Any actions taken by the CMC (MMSR-5) will be reflected on the Marine's unit diary feedback report. In addition, requests that are pending or approved will post an appropriate RER flag indicating such status on the RT01 screen in MCTFS. A disapproval will zero out the original entry reflected on the RT01 screen. RER Flags are defined in On-line Manpower Codes Lookup Guide.

2. Upon receipt of the approval authority, the responsible reporting unit will submit the appropriate diary entries using data contained on the RT01 screen (Planned SPD, Planned CHAR).

3. The CMC (MMSR-5) will mail all separation letters, certificates, and documents within 10 working days of issuing the approval authority.

4. The CMC (MMSR-5) will issue all orders pertaining to the Reserve retirement of a Marine. The CMC (MMSR-2) is the retirement authority for those Reservists who qualify for an active duty retirement.

3021. DELIVERY OF RETIREMENT DOCUMENTS AND APPROPRIATE CEREMONY. In no case should retirement documents be held beyond 30 days without contacting the Marine. If the retirement documents cannot be delivered, due to the unit's inability to locate or contact the Marine, endorse with the reason for nondelivery and return these documents to the CMC (MMSR-5) within 30 days of receipt at the unit. See paragraph 1012 for additional information regarding retirement ceremonies.

3022. RESERVE RETIREMENT CREDIT REPORTING SYSTEM

1. The Automated Reserve Retirement Credit Reporting System (ARRCR) is the primary method for reporting retirement points earned by a Marine during an anniversary year. The ARRCR must be used by all units with OnLine MCTFS reporting capabilities. The ARRCR generates two reports: the Annual Retirement Credit Report (ARCR) and the Career Retirement Credit Report (CRCR). The ARCR is automatically generated the month following the anniversary month. Copies are provided to the CMC (MMRP-20). To report retirement data see reference (aw) OnLine MCTFSPRIUM and Appendix E.

\*2. Commander's Responsibilities. The term "commander" as used in this paragraph refers to the appropriate commanding officer (COMMARFORRES); the commanding officer of the SMCR unit; or the commanding officer of any Regular Marine Corps unit on whose rolls Reserve Marines are carried.

a. Ensure proper certification of unit diaries and maintenance of records that document retirement points.

\*b. Provide a copy of the ARCR and CRCR to each Marine within 30 days of receipt. Copies are available on-line through Kansas City Menu "CICS-Production" using the Retirement/Separation Menu in the MCTFS.

3023

\*c. Ensure each Marine signs a copy of the ARCR and CRCR and file on the document side of the service record. (Note: A signed ARCR/CRCR signifies that the Marine agrees with the retirement point total shown. If the Marine disagrees with the retirement point total, the Marine must indicate where the discrepancies exist and provide documentation to support correction.)

d. Ensure the Marine signs a corrected ARCR/CRCR and file the corrected copy attached to the erroneous copy on the document side of the service record, if corrections are warranted. A corrected ARCR and CRCR will automatically be generated to the CMC (MMRP-20), and (MMSR-5) if appropriate.

3023. CURRENT ADDRESS OF RETIRED RESERVISTS. See paragraph 1405.



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Figure 3-1.--Request for Interservice Transfer for an Enlisted Marine

(Letterhead)

From: Individual or Appropriate Authority  
To: CMC (RAM) (for AR enlisted Marines), COMMARFORRES (for non-AR enlisted  
Marines)  
Via: CO of current unit  
Subj: REQUEST FOR INTERSERVICE TRANSFER  
Ref: (a) MCO P1900.16G, par. 3004

1. Per the reference, I request an interservice transfer to (name of military service).

2. The following information is provided:

- a. Applicant's last, first, and middle name.
- b. Electronic Data Interchange Personal Identifier.
- c. Rank, date of rank, and military specialty.
- d. Component.
- e. Organization to which assigned.
- f. Years, months, and days of total service.
- g. Summary of other intercomponent transfers, if any.
- h. Date and place of birth.
- i. Citizenship and how acquired.
- j. Summary of military duties performed.
- k. Brief description of educational credentials and military and civilian professional qualifications.
- l. Reason for requesting transfer.
- m. Statement by Marine that, in the event of approval, the Marine will accept assignment to and participate in the accredited training program of the component to which transferred.

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Figure 3-1.--Request for Interservice Transfer for an Enlisted Marine

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Figure 3-2.--Request for Interservice Transfer for an Officer  
(Letterhead)

From: Individual or Appropriate Authority  
To: CMC (MMSR-5), 3280 Russell Road, Quantico, VA 22134-5103  
Via: (1) CO of current unit  
(2) COMMARFORRES

Subj: REQUEST FOR INTERSERVICE TRANSFER

Ref: (a) MCO P1900.16G, par. 3004

1. Per the reference, I request an interservice transfer to (name of military service).

2. The following information is provided:

- a. Applicant's last, first, and middle name.
- b. Electronic Data Interchange Personal Identifier.
- c. Rank, date of rank, and military specialty.
- d. Component.
- e. Organization which assigned.
- f. Years, months, and days of Federal commissioned service, Active and Reserve.
- g. Summary of other intercomponent transfers, if any.
- h. Date and place of birth.
- i. Citizenship and how acquired.
- j. Summary of military duties performed.
- k. Brief description of educational credentials and military and civilian professional qualifications.
- l. Reason for requesting transfer.
- m. Contingent resignation, including the following statement: "I do hereby tender my resignation from the (specify component) and request it be accepted contingent upon final approval of my application for transfer to the (specify component), and to be effective the day preceding the date of my acceptance of appointment in the (specify component)."

Figure 3-2. Request for Interservice Transfer for an Officer

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Figure 3-3.--Minimum Points Required to Establish a Partial Anniversary Year as Qualifying Service

Number of Days in an Active Status		Minimum Points Required	Number of Days in an Active Status		Minimum Points Required	Number of Days in an Active Status		Minimum Points Required
FROM	THROUGH		FROM	THROUGH		FROM	THROUGH	
0	7	1	125	131	18	249	255	35
8	14	2	132	138	19	256	262	36
15	21	3	139	146	20	263	270	37
22	29	4	147	153	21	271	277	38
30	36	5	154	160	22	278	284	39
37	43	6	161	168	23	285	292	40
44	51	7	169	175	24	293	299	41
52	58	8	176	182	25	300	306	42
59	65	9	183	189	26	307	313	43
66	73	10	190	197	27	314	321	44
74	80	11	198	204	28	322	328	45
81	87	12	205	211	29	329	335	46
88	94	13	212	219	30	336	343	47
95	102	14	220	226	31	344	350	48
103	109	15	227	233	32	351	357	49
110	116	16	234	240	33	358	365/366	50
117	124	17	241	248	34			

Figure 3-3.--Minimum Points Required to Establish a Partial Anniversary Year as Qualifying Service

Figure 3-4.--Membership Points (Gratuitous)

Number of Days in an Active Status		Membership Points credited	Number of Days in an Active Status		Membership Points credited
FROM	THROUGH		FROM	THROUGH	
1	12	0	183	206	8
13	36	1	207	231	9
37	60	2	232	255	10
61	85	3	256	279	11
86	109	4	280	304	12
110	133	5	305	328	13
134	158	6	329	352	14
159	182	7	353	365	15

Figure 3-4.--Membership Points (Gratuitous)

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Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60

Date:

From: \_\_\_\_\_  
(Grade) (First and Last Name) (EDIPI)

To: Commandant of the Marine Corps (MMSR-5)  
Via: Commander, Marine Forces Reserve (for IRR, ISL and IMA Marines  
only)  
Commanding Officer, (insert your SMCR Unit) (for SMCR Unit Marines  
only)

Subj: REQUEST TRANSFER TO THE RETIRED RESERVE AWAITING PAY AT AGE 60

Ref: (a) MCO P1900.16G

1. Per paragraph 3016 of the reference, I request to be transferred to the Retired Reserve effective the first day of the month of \_\_\_\_\_ (Month/Year).

2. I believe I am eligible for retirement due to the completion of 20 or more qualifying federal years (with at least 50 retirement points per year) of honorable service in the Armed Forces.

3. Per the reference, I elect the following option (select one):

\_\_\_ a. I do not desire to have a retirement ceremony. Please mail the package directly to my home address as follows: \_\_\_\_\_.

\_\_\_ b. I desire to have a retirement ceremony. Details for my retirement ceremony are as follows (if known):

Date of ceremony: \_\_\_\_\_

Unit mailing address: \_\_\_\_\_

Grade Rank and full name of POC at unit: \_\_\_\_\_

Retiring Official (rank and full name): \_\_\_\_\_

4. I understand the following (please initial each block):

\_\_\_ a. I must retire on the first day of the month.

\_\_\_ b. (Enlisted only) I must retire while I am on a valid contract.

Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

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Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

Therefore my requested retirement date must be prior to my Reserve End of Current Contract (RECC). If I fail to obtain an extension to my current contract, I understand that my retirement request will be denied if I do not currently have sufficient time remaining on my current Reserve contract.

\_\_\_c. (Officer only) I must retire on or before my Mandatory Removal Date. I may not be placed on medical hold beyond my MRD unless approved by the Secretary of the Navy prior to my MRD.

\_\_\_d. (Enlisted only) My request for retirement will cause my deletion from promotion eligibility. If I have twice failed selection and my RECC is after the adjournment date of the board, I may request via message to be considered for promotion while voluntarily processing for retirement. I understand that this request must be submitted to the CMC (MMSR-5 and MMPR-2) at the time I request retirement. I understand that if selected for promotion and my name is on a promotion selection list, my request for retirement will result in the removal of my name from that list.

\_\_\_e. (Officer only). (1) If my requested retirement date is approved and occurs within 90 days of the convening date of a promotion board for which I am to be considered, I will no longer be eligible for consideration. This will cause my deletion from the eligibility zone and counts as a failure of selection even if I successfully withdraw my retirement at a later date. (2) If my requested retirement date is more than 90 days after the convening date of a promotion board for which I am to be considered, and if I am selected for promotion after having submitted my request to retire, I may request withdrawal of my retirement.

\_\_\_f. I must EAS at least 2 weeks prior to my desired retirement date in order to allow sufficient time for administrative transactions to properly post in MCTFS.

\_\_\_g. I may not request cancellation of my application for retirement or modify the effective date except for one of the following reasons: (1) For a fully documented humanitarian or hardship circumstance that has occurred since my application was submitted. (2) In the best interest/needs of the Marine Corps. I understand that this determination will ultimately be made by HQMC and not by my present command.

\_\_\_h. I can expect to retire on the date approved by CMC unless I am placed on legal or on medical hold, as authorized only by the CMC (MMSR-5), prior to my actual retirement date. I understand that if I am at service limitations or otherwise pending mandatory retirement, a deferment for medical reasons may only be accomplished if I have a complete medical board accepted by the

Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

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Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

president of the Physical Evaluation Board or I am hospitalized on my actual retirement date as an in-patient.

\_\_\_i. A request to modify a retirement date must be submitted with appropriate justification and command endorsements no less than 45 days prior to the approved retirement date.

\_\_\_j. I understand that the Defense Finance and Accounting Service, Cleveland (DFAS-CL) computes retired pay under the applicable formula established by law, according to my grade, and total number of retirement points per para 3013 of the reference.

\_\_\_k. I fully understand that I may not extend my retirement date, once a date has been requested, solely to increase my retired pay.

\_\_\_l. I understand that if I have received separation, severance or readjustment pay under any provision of the law for service in the armed forces, and if I am now qualified for retired pay, DFAS-CL will reduce each payment of retired pay until the total amount deducted equals the amount of separation, severance or readjustment pay.

\_\_\_m. I may be eligible to receive retired pay prior to Age 60 per reference (aw) DoDI 1215.07 and National Defense Authorization Act of 2008. My date first eligible to receive retired pay will be reduced from age 60 by three months for every 90 days of qualifying active duty service per fiscal year, after 28 January 2008. Upon submission of this retirement request, MMSR-5 will calculate my date first eligible which will be included in my "awaiting pay" orders.

5. I understand that my retirement, whether voluntary decision or due to service limitations is an important milestone in my career. Understanding the laws and policies that affect my retirement is an essential part of the transition process. I understand that MMSR is committed to assisting me in making my transition as smooth as possible. Additional information is available on the Separation and Retirement Branch web page.

**ACKNOWLEDGMENT OF UNDERSTANDING:**

I acknowledge that I have been advised of the effects of my application for transfer to the Reserve Retired List Awaiting Pay at Age 60, the consequences of its official submission, and I am satisfied that all topics in this checklist have been adequately covered.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

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Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60--Continued

FIRST ENDORSEMENT Date \_\_\_\_\_

1. Forwarded recommending (approval / disapproval). I have been advised of this Marine's desire to request to retire and have discussed with this Marine his/her desire for a retirement ceremony.

(Signature of endorsing official)

*(CO for SMCR; Opsponsor for IMA; MFR G1 for IRR/ISL/)*

Copy to:  
MMRP-20

Figure 3-5.--Request Transfer to the Retired Reserve  
Awaiting Pay At Age 60

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Table 3-1.--Inactive/Active Duty Points

MINIMUM TYPE DUTY	INACTIVE TIME REQUIRED	ACTIVE AUTHORITY REQUIRED	DUTY POINTS	MAXIMUM # PTS per yr
TEMACDU, EAD or ADT	1 day	Orders	1	365,366
Associate	4 hrs	Orders	1	2/day
Appropriate	4 hrs	Orders	1	2/day
Seminars	2 hrs	Orders	1	1/day
Attendance at 1 Conference/MCROA Convention	2 hrs	Orders military	Max 1/day	1
Acquire 1 Enl/ Reenl or Ext of Enl in USMC/USMCR acceptable to HQMC	8 hrs equiva- lent	COMMARFORRES/ CG MCIRSA Certified	4	4
JROTC Unit Assistance	4 hrs	CO, MCD	1	2/day
Acquire 1 PS IRR who joins SMCR	6 hrs	COMMARFORRES	3	3
Acquire 1 referral who enlists in USMC or USMCR	8 hrs equiva- lent	CO, RS	4	4
Correspondence Studies	3 hrs	Certified by Competent Authority	1	No max
Membership	1 yr	USMCR Membership	15	15/ann yr
IDT Periods	4 hrs	SMCR Membership	1	2/day
AFTP/ATP/RMP	4 hrs	UMS	1	2/day
EDP	4 hrs	UMS	1	2/day
MTU meetings	4 hrs	MTU Membership	1	2/day
MTU Command Duty	4 hrs	CO, MTU	1	2/day
MTU Instruction Preparation	4 hrs	CO, MTU	1	2/day

Table 3-1.--Inactive/Active Duty Points

MCO 1900.16  
26 Nov 2013

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CHAPTER 4

ADMINISTRATIVE SEPARATION OF OFFICERS FOR CAUSE

GENERAL

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CHAPTER 4

ADMINISTRATIVE SEPARATION OF OFFICERS FOR CAUSE

GENERAL

4001. PURPOSE. To supplement established policies, standards, and procedures for the administrative separation of officers of the Marine Corps who do not maintain required standards of performance, professional, or personal conduct.

\*4002. APPLICABILITY. Reference (t) SECNAVINST 1920.6C contains Department of the Navy policies, standards, and procedures regarding the administrative separation of officers for cause. Notwithstanding any provision in this chapter, the policies, standards, and procedures contained in reference (t) SECNAVINST 1920.6C control administrative separations of officers. This chapter provides supplemental guidance for the revocation of commissions, discharge, termination of appointments, release from active duty, and dropping from the rolls of Marine Corps officers. The policies, reasons for separation for cause, and provisions for characterization of service apply to all officers and warrant officers of the Regular and Reserve components. This chapter does not apply to discharge or retirement for physical disability or discharge or dismissal by reason of a sentence adjudged by court-martial. The separation of Reserve officers on inactive duty is addressed in chapter 3 of this Manual.

\*4003. GUIDANCE TO COMMANDERS ON SEPARATION PROCESSING. Reference (t) SECNAVINST 1920.6C takes precedence if conflicts exist between this Manual and the SECNAVINST.

CHAPTER 4

ADMINISTRATIVE SEPARATION OF OFFICERS FOR CAUSE

SECTION 1: PROCESSING FOR SEPARATION

4101. INITIATING SEPARATION OF AN OFFICER - NOTIFICATION. Every commanding officer shall report to the CMC (JAM) all incidents (including information received through any source e.g., Naval Investigative Service, civilian law enforcement, etc.) involving any officer whose performance or conduct is such that processing for separation may be appropriate and consistent with this chapter.

4102. PROCESSING FOR SEPARATION. The CMC shall initiate processing for separation under the following circumstances:

1. Cases referred under paragraph 4101 when considered appropriate under this chapter.

2. When information is received involving officers whose performance or conduct is such that processing for separation is considered appropriate under this chapter.

3. Every officer reported to the Secretary of the Navy that has been identified for substandard performance or professional or personal misconduct by a selection board.

\*4103. REASONS FOR SEPARATION FOR CAUSE. The reasons for separation are described in the current version of reference (t) SECNAVINST 1920.6C. The following information supplements that guidance:

\*1. Illegal Drug Involvement. Processing for separation is mandatory. An officer will be recommended for separation if an approved finding of unlawful drug involvement is made. Illegal drug involvement includes, but is not limited to, illegal, wrongful, or improper use, possession, sale, transfer, distribution, manufacture, importation into the customs territory of the United States, exportation from the United States, or introduction on a military installation, vessel, vehicle, or aircraft used by or under the control of the armed forces, of any substance that is listed on a schedule of controlled substances by the President or in Schedules I through V of section 202 of the Controlled Substances Act (Title 21 U.S.C. section 812), or opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, phencyclidine, barbituric acid, marijuana, steroids, any compound or derivative of any such substance, or any other dangerous or illicit drug or other forms of substance abuse (such as designer drugs, fungi, chemicals not intended for human consumption, spice, bath salts, etc.) as defined in reference (j) SECNAVINST 5300.28E paragraph 5.c), and/or the possession, sale, or transfer of drug paraphernalia as defined in reference (j) SECNAVINST 5300.28E. Evidence obtained from an involuntary urinalysis administered pursuant to an inspection under Military Rules of Evidence or from a search and seizure under Military Rules of Evidence in the current version of reference (c) the Manual for Courts Martial, or incident to an

4103

exam conducted for a valid medical reason, may be used to characterize a Marine's discharge as under other than honorable conditions. Upon discharge, drug dependent Marines will be referred to a Department of Veterans Affairs Medical Facility or other rehabilitation center. The discharge of an officer who is drug dependent will not be delayed for medical or rehabilitation treatment for drug dependency.

\*2. Sexual Harassment

\*a. Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

\* (1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career, or;

\* (2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or;

\* (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment. Abusive work environment harassment need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or abusive. See reference (bh) MCO 1000.9A for additional information regarding Sexual Harassment.

\*b. Sexual harassment may also meet the definition of sexual misconduct under paragraph 4103.3.

\*c. Processing for separation is mandatory following the first substantiated incident of sexual harassment involving any of the following circumstances:

\* (1) Threats or attempts to influence another's career or job for sexual favors;

\* (2) Rewards in exchange for sexual favors; or,

\* (3) Physical contact of a sexual nature which, if charged as a violation of the UCMJ, could result in a punitive discharge.

\*d. An incident is considered substantiated when there has been a court-martial conviction, nonjudicial punishment, or the commander determines, based on a preponderance of the evidence, that sexual harassment has occurred. The limitations in paragraph 6106.1 on separation processing following acquittal at a court-martial do not apply to officers. See reference (bi) DoDI 1332.30, enclosure (3), paragraph 6.d.

\*e. Only the Sexual Assault Initial Disposition Authority (SA-IDA) or higher may determine that processing under this paragraph is an appropriate

disposition. This paragraph is not intended to preclude disciplinary action to include trial by court-martial, when appropriate.

\*3. Sexual Misconduct

\*a. Sexual Offender

\*(1) Officers, whether active duty or in a reserve status, who are required to register as a sex offender or who have been convicted of a sexual offense as outlined in The Department of Justice, National Guidelines for Sex Offender Registration and Notification, whether in a civilian court or by court-martial, if not punitively discharged, shall be processed for administrative separation. Such processing will be in accordance with reference (t) SECNAVINST 1920.6c.

\*(2) Officers who have been convicted of a sexual offense while on active duty and are separated shall have the sexual offense conviction recorded in their permanent record.

\*(3) Sexual offenders shall not be subject to recall for any purpose unless approved by the Secretary of the Navy.

\*b. Sexual misconduct includes conduct that could form the basis for a violation of the following Articles of the UCMJ:

\*(1) Article 120 - Rape and sexual assault generally

- (a) Rape
- (b) Sexual Assault
- (c) Aggravated Sexual Contact
- (d) Abusive Sexual Contact

\*(2) Article 120b - Rape and sexual assault of a child

- (a) Rape of a Child
- (b) Sexual Assault of a Child
- (c) Sexual Abuse of a Child

\*(3) Article 120c - Other Sexual Misconduct

- (a) Indecent Viewing, Visual Recording, or Broadcasting
- (b) Forcible Pandering
- (c) Indecent Exposure

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\* (4) Article 125 - Forcible Sodomy

\* (5) Article 80 - Attempts (to commit any of the offenses listed in subparagraphs (1) through (4)).

\*c. Processing for separation is mandatory following the first substantiated incident, or substantiated attempted incident, of sexual misconduct.

\*d. An incident, or attempted incident, is considered substantiated when there has been a court-martial conviction, civilian court conviction, nonjudicial punishment, or when a commander determines, based on a preponderance of the evidence, that an incident or attempted incident of sexual misconduct has occurred. The limitations in paragraph 6106.1 on separation processing following acquittal at a court-martial do not apply to officers. See reference (bi) DoDI 1332.30, Enclosure (3), paragraph 6.d.

\*e. Only the Sexual Assault Initial Disposition Authority (SA-IDA) or higher may determine that processing under this paragraph is an appropriate disposition. This paragraph is not intended to preclude disciplinary action to include trial by court-martial, when appropriate.

4104. RETIREMENT OR RESIGNATION. An officer being processed for separation for cause may, at any time during proceedings, under this chapter, submit a qualified or unqualified resignation or a resignation for the good of the service, or, if eligible, request retirement under of this manual.

1. Resignations tendered under this paragraph shall not request an effective date. The retirement/resignation will be effective upon approval by the Secretary of the Navy. In addition, the resignation will not be input into the unit diary system unless approved by the Secretary of the Navy.

2. Normally, a reserve commission is not authorized for regular officers resigning under this paragraph.

3. Address requests for qualified or unqualified resignation to the Secretary of the Navy via the chain of command and the CMC (JAM). If a resignation is submitted in lieu of a recommendation for administrative separation, the resignation shall state that it is offered under this paragraph and shall contain the appropriate statement below corresponding to the type of discharge requested. If the resignation is submitted to avoid trial by court-martial, the resignation shall contain the statement in subparagraph 4104.3c and follow the procedures in paragraph 4104.4.

a. "I have been informed and understand that if my resignation in lieu of processing for administrative separation for cause is accepted, I shall subsequently receive a certificate of honorable discharge from the naval service."

b. "I have been informed and understand that if my resignation in lieu of processing for administrative separation for cause is accepted, I may



subsequently receive a certificate of general discharge from the Marine Corps; that such a separation, although considered by the Navy Department to be under honorable conditions, is not the highest qualitative type of separation provided for officers of the naval service, and that, while I shall be entitled to the major portion of veteran's rights and benefits presently authorized for former officers whose service has been similar to my own, should any present or future statutes specifically require an honorable discharge as a condition precedent to the granting of rights and benefits thereunder, my eligibility for any such rights and benefits may be at least doubtful."

c. "I have been informed and understand that if my resignation (in lieu of court-martial) (in lieu of processing for administrative separation for cause) is accepted, I may subsequently receive a characterization of service from the Marine Corps which will state upon its face that it is under other than honorable conditions; that I may be deprived of substantial rights, benefits, and bounties which Federal or State legislation confers or may hereafter confer upon persons with honorable service in, or separated from, the Armed Forces, that I may expect to encounter substantial prejudice in civilian life in situations where the nature of service rendered in, or the character of separation from, the Armed Forces may have a bearing."

4. Separation in Lieu of Trial by Court-Martial. An officer may be separated in lieu of trial by court-martial upon the officer's request if charges have been preferred with respect to an offense for which a punitive discharge is authorized. This provision may not be used as a basis for separation when Rules for Courts-Martial 1003(d) of the Manual for Courts Martial (MCM) provides the sole basis for a punitive discharge unless the charges have been referred to a court-martial authorized to adjudge a punitive discharge.

a. The following procedures apply for submission of the request to the Secretary of the Navy via the chain of command and the CMC (JAM).

(1) The request for discharge shall be submitted in writing and signed by the officer.

(2) In the written request, the officer shall indicate that the following is understood:

(a) The elements of the offense or offenses charged;

(b) That characterization of service under other than honorable conditions is authorized; and

(c) The adverse nature of such characterization and possible consequences.

b. The request shall also include:

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(1) An acknowledgment of guilt of one or more of the offenses charged or of any lesser included offense, for which a punitive discharge is authorized; and

(2) A summary of the evidence or list of documents (or copies) provided to the officer pertaining to the offenses for which a punitive discharge is authorized.

4105. CHARACTERIZATION OF SERVICE

1. A characterization of service or discharge will not be issued to officers separated by one of the following conditions:

a. Dismissal pursuant to approved sentence following conviction before a general court-martial. The letter or other document informing the officer concerned of the final action in such a case and effecting dismissal from the naval service shall be deemed equivalent in all respects to a dishonorable discharge.

b. Separation of an officer through dropping from the rolls of the Service.

2. In addition to the federal law specifically concerning the separation of military officers, other federal statutes provide for the dismissal or removal from office of federal officials involved in misconduct or malfeasance. Examples of the class of statutory prohibitions referred to, whether or not specifically applicable to Marine officers are:

a. Carrying on of trade or business by fiscal officers in funds, debts, or public property of Federal or State Governments.

b. Using appropriated funds to influence legislation.

c. Accepting bribes.

\*3. No characterization of service will be issued to any officer specifically removed, dismissed, or otherwise disqualified from further service pursuant to one of these types of statutes.

4106. SEPARATION PAY FOR INVOLUNTARY SEPARATIONS FOR CAUSE. Reference (a) Title 10, U.S.C. section 1174, reference (ai) DoDI 1332.29 and paragraph 1303 of this manual govern entitlement to separation pay for officers who are administratively separated under the provisions of this chapter.

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CHAPTER 5

OFFICER RESIGNATIONS AND INVOLUNTARY DISCHARGES AS A RESULT  
OF A SECOND FAILURE OF SELECTION FOR PROMOTION WHILE ON THE ACTIVE DUTY LIST

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CHAPTER 5

OFFICER RESIGNATIONS AND INVOLUNTARY DISCHARGES AS A RESULT  
OF A SECOND FAILURE OF SELECTION FOR PROMOTION WHILE ON THE ACTIVE DUTY LIST

5001. GENERAL

1. This chapter pertains to voluntary resignations submitted by officers of the Regular component and involuntary discharges of officers on active duty as a result of a second failure of selection for promotion to the next higher grade. No officer will be discharged without specific authority from the Commandant of the Marine Corps.

2. The Secretary of the Navy determines the characterization of separation for officers. General guidance may be found in paragraphs 1004 and 4105. An honorable discharge is normally issued for unqualified resignations and discharges due to a second failure of selection for promotion. Honorable discharge certificates will be issued by the CMC (DC M&RA) on behalf of the Secretary of the Navy. Under no circumstances will any unit prepare a discharge certificate on an officer. General discharge certificates are no longer issued.

3. Submit resignations in lieu of administrative separation for cause or in lieu of trial by court-martial per paragraph 4104.

5002. RESIGNATION ELIGIBILITY

\*1. Career designated officers serve at the pleasure of the President as determined by the Secretary of the Navy and no terminal dates are established for their commissions. The Secretary of the Navy has delegated to the CMC (DC M&RA), the authority to approve an officer's resignation on behalf of the President. The CMC will recommend approval of only those requests for resignation and subsequent requests for withdrawal which meet the criteria set forth in this Manual. When a request is disapproved, the CMC will reply by letter stating the reason for disapproval.

2. The resignation of a commission is a voluntary act and must be unconditional. Officers who submit resignations may expect favorable action provided they fulfill the requirements of this paragraph; however, the criteria may be modified as necessary to meet the existing needs of the Service. Specifically, the acceptance of an officer's resignation may be deferred or disapproved in order to maintain officer personnel strength at the necessary level. The CMC will ensure such action occurs only when critical conditions exist. The acceptance of an officer's resignation will be judged on the following:

a. Needs of the Service.

\*b. Completion of the period of active commissioned service, chief warrant officer service, or warrant officer service, as specified in the officer's service agreement. Career designated officers retain their original active duty obligation. In some cases, this obligation may be

extended per paragraph 5002.3f. All active service, exclusive of active duty for training in the grade of warrant officer or above, will be counted.

c. Completion of the period of service specified in the officer's flight training agreement.

d. Completing 24 months of service after attending a service school, fellowship, or service school equivalent when the prescribed course of instruction is 20 or more weeks of duration and attendance is in compliance with official orders. The 24-month service requirement also applies to an officer who enters but does not complete a prescribed course of 20 or more weeks duration. In this case, the service requirement commences on the officer's date of transfer from the course. Officers serving their initial obligated active duty tour who are involuntarily ordered to attend such a school are excluded from the above provisions. Additionally, the resignation of officers who successfully complete a military or funded civilian course of 19 weeks or less will not be approved before the completion of 12 months of active duty following completion of the course.

e. Completion of a minimum of 24 months active duty service after:

(1) Completion of training to be an instructor at a Fleet Readiness Squadron (FRS) or in the Naval Aviation Training Command (NATC).

(2) Completion of Marine Aviation Weapons and Tactics Squadron (MAWTS-1) Weapons and Tactics Instructor Course (WTI), or Naval Fighter Weapons School (Top Gun).

(3) Completion of a tour as a participant in the Marine Corps Foreign Personnel Exchange Program (MCFPEP), aviation, or aviation ground exchange tours with U.S. services or a foreign military service. These tours include, but are not limited to, USAF exchange tours, the Navy Flight Demonstration Team tour, Royal Navy exchange tours, Royal Australian Air Force exchange tours, Italian Navy exchange tours, Spanish Navy exchange tours, and Canadian Navy exchange tours.

(4) Completion of training to be a pilot for operational support aircraft, and this includes, but is not limited to, the UC-12, UC-35 and T-39 aircraft. For operational support aircraft, the obligation is incurred at the commencement of any training toward initial qualification and begins upon completion of initial training; in the case of failure to complete training, the obligation begins on the date of transfer from the course.

f. Completion of the service requirement prescribed in the applicable Marine Corps directive in effect at the time of the officer's selection for the College Degree Program, Excess Leave Program (LAW), or other full-time or funded schooling.

g. Completing 24 months on active duty after completing a course for which financial assistance was accepted through the Tuition Assistance (TA) Program. Based upon needs of the Marine Corps, the 24 month service payback