

## MILPERSMAN 1920-200

### OFFICER RESIGNATION PROCEDURES

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<b>References</b>	(a) SECNAVINST 1920.6C (b) OPNAVINST 1040.11D
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1. **Policy.** Officers of the Regular Navy and Navy Reserve retain their commissions at the pleasure of the President, and no terminal dates are established for their commissions. The Secretary of the Navy (SECNAV), by virtue of authority to act for the President, prescribes criteria for the voluntary termination of an officer's status.
  
2. **Policy Guidance.** The policy of SECNAV concerning resignation of an officer of the Regular Navy or in the Navy Reserve on active duty (ACDU), including Full Time Support (FTS) personnel, is set forth in reference (a). Examples of resignation submission types can be found in MILPERSMAN 1920-190.
  
3. **Navy Reserve Officers on ACDU.** Navy Reserve officers on ACDU, including FTS personnel, who have not completed their total military service obligation (MSO) or who desire to retain their commission on inactive duty should request release from active duty (RAD) as detailed in MILPERSMAN 1920-090.
  
4. **Resignation of a Navy Reserve Officer not on Active Duty.** The resignation of a Navy Reserve officer not on active duty may be accepted by SECNAV under this manual. Such requests must be addressed to Navy Personnel Command (NAVPERSCOM), Reserve Personnel Management Division (PERS-9).

5. **Officer Submitting a Resignation Request in Lieu of Administrative Separation (ADSEP)**. Per reference (a), an officer being allowed to submit a resignation request in lieu of processing for ADSEP must address the resignation to SECNAV **via**:

- a. the commanding officer (CO);
- b. the convening authority, when applicable; and
- c. NAVPERSCOM, Officer Performance and Separations Branch (PERS-834).

6. **Requests for Unqualified Resignation from ACDU (Honorable (HON) Discharge)**

a. Requests for unqualified resignation as detailed in MILPERSMAN 1920-190 must be addressed to SECNAV:

(1) **via** the CO and NAVPERSCOM, Distribution Management Division (PERS-45); and

(2) **with a copy to** (not via) each level of the administrative chain of command (COC) through the fleet commander (Pacific or Atlantic) of the unit to which the officer is assigned.

b. Letters of resignation must be submitted to reach NAVPERSCOM at least 9 months in advance of the desired detachment month. A resignation request will be returned without action if the officer does not comply with the 9-month submission time frame specified above.

c. If the resignation is delayed in reaching NAVPERSCOM through no fault of the officer concerned, a constructive receipt date that is 21 days following the date of the officer's resignation request will be assigned. The resignation month must be carefully selected, and consideration should be given to any separation leave desired by the officer. Approval of a resignation does not constitute approval of separation leave, which remains a command-level decision. Extensions of the resignation month, which will not be approved to accommodate separation leave, are further discussed elsewhere in this article. Should the officer require separation orders more than 6 months in advance of the desired detachment month, it should be annotated on the original request with the justification stated.

7. **Requests for Unqualified Resignation from Inactive Duty (HON Discharge)**

a. Navy Reserve officers who are not on ACDU may submit resignation requests per MILPERSMAN 1920-190. Resignations will normally not be accepted if the member is currently on, or in receipt of, ACDU mobilization orders. If the member is assigned to a Reserve unit, the request should be submitted 6 months in advance of the requested discharge date via the unit and Navy Operational Support Center CO.

b. Members of the Individual Ready Reserve active status pool should submit requests directly to NAVPERSCOM, Reserve Officer Status Branch (PERS-911), 2 months in advance of the requested discharge date.

8. **Requests for Qualified Resignation (General (Under Honorable Conditions) Discharge) or Resignation for the Good of the Naval Service (Under Other than Honorable (OTH)) in Lieu of ADSEP.** An officer being allowed to submit a resignation request in lieu of processing for ADSEP must submit the request as detailed in MILPERSMAN 1920-190.

9. **Requests for Resignation for the Good of the Naval Service and to Escape Court-Martial (OTH).** An officer being allowed to submit a resignation request in lieu of court-martial must submit request as detailed in MILPERSMAN 1920-190.

10. **Resignation from ACDU Approval Considerations.** Action on any resignation submitted under the above provisions will be governed by the needs of the Service, including availability of a qualified relief. Favorable consideration normally will be given to an officer whose ACDU obligated service (OBLISERV) will not extend past the requested detachment date. Waivers of OBLISERV, tour lengths, incentive pay, and bonus contracts, or other service obligations will not be approved, unless a bona fide hardship exists or needs of the Navy dictate otherwise.

11. **Resignation from ACDU Approval Requirements.** Approval of resignation or RAD requests (if applicable) will normally be withheld until the officer has completed the following:

a. Two years upon arriving at a new duty station, with the following exceptions:

(1) Department of Defense area tour if assigned overseas. (For this purpose, Alaska and Hawaii are considered to be outside the continental United States.)

(2) One year if reassigned to the continental United States (CONUS) from overseas.

(3) One year for members assigned to the continental United States sea duty who will not commit to extend or incur an ACDU service obligation.

b. The applicable tour as prescribed above when a resignation is received by NAVPERSCOM following the date of issuance or notification of orders. Such issuance or notification of permanent change of station orders must be within 6 months of the first day of the month of an officer's projected rotation date (PRD) and may be accomplished by official letter, message, or telephone.

c. OBLISERV incurred as a result of lateral transfer between competitive categories or designators; entering an education or training program (i.e., postgraduate, tuition assistance, law, medical, flight); or receiving an incentive pay, continuation pay, or bonus.

## **12. Officers Unable to Tender a Resignation Prior to Becoming Eligible for Reassignment**

a. In some instances, due to the notification time limits described above, officers desiring to resign may be prohibited from tendering a resignation prior to becoming eligible for reassignment. This situation may apply to:

(1) Officers serving their period of minimum ACDU service requirement; or

(2) Officers beyond their minimum service requirement who have incurred an additional ACDU service obligation through programs such as incentive or special pay and bonuses, transfer to the Regular Navy, or advanced training and education.

b. To prevent this situation from occurring, officers may notify NAVPERSCOM (PERS-45) and their respective detailer, NAVPERSCOM (PERS-4XX), by official letter of the intent to resign at the expiration of the service obligation. This letter of intent must reach NAVPERSCOM (PERS-45) no less than 6 months prior

to the first day of the month of an officer's PRD. The actual resignation request must then be submitted within the specified timeframes.

13. CO's Endorsement

a. COs must forward the resignation or RAD request and endorsement within 10 days of receipt. The CO's endorsement letter must:

(1) Certify that the information provided in the officer's resignation letter is correct and includes all information as set forth in MILPERSMAN 1920-190.

(2) Address the need for a qualified relief, and whether the billet can be gapped, including the maximum acceptable duration (ACDU separations and discharges only).

(3) Note any requirement for the officer to receive separation orders more than 6 months in advance of the desired detachment date (household goods shipment, separation leave, deployment, etc.) (ACDU separations/discharges only.)

(4) Comment on the circumstances of all resignations submitted by officers within their command.

(5) Summarize the officer's professional performance and perceptions of the reasons the officer cites for leaving the Navy.

(6) Certify that the officer was counseled on Navy Reserve opportunities and benefits, and provide assessment for future active and or reserve potential (ACDU separations only).

(7) Comment as to whether an appointment in the Navy Reserve is recommended. If not recommended, the reasons must be stated. If not recommended for a Navy Reserve commission and the officer has a MSO remaining, the CO understands his her recommendation may result in retaining the officer on ACDU, unless it is a resignation for the good of the Naval Service.

(8) Submit an overall recommendation on the request.

b. All information concerning an officer's resignation must be provided to NAVPERSCOM and SECNAV so that appropriate recommendations and final action may be taken. This information

is very useful to each level of the COC in formulating officer retention initiatives.

c. Per reference (b), COs are the career counselors for the Officer Corps. Every effort should be made to retain the best officers for continued service in the Navy, whether on ACDU or in the Navy Reserve. Separating officers must be properly informed on Navy Reserve affiliation benefits to allow them to make an educated decision.

14. **Request for Withdrawal of Resignation.** A request for resignation has no effect until approved by SECNAV. Once approved, any subsequent withdrawal request may be denied. Any actions (leave taken, job offers accepted, etc.) taken by the requesting officer prior to SECNAV approval is at the officer's own risk. COs must forward the request with endorsement within 10 working days. All withdrawal requests will be considered on a case-by-case basis with the needs of the Service as the determining factor.

15. **Requests for Extension.** Extension requests to remain on ACDU and change the detachment month will be governed by the needs of the Service. Such requests will not normally be approved for less than 3 months and not greater than 6 months, unless a bona fide, documented hardship exists, or operational commitments necessitate an extension. Any combination of extension requests resulting in a detachment month greater than 6 months from the original resignation month will normally be denied. Any requests for detachment earlier than originally requested in the resignation letter or earlier than approved in the NAVPERSCOM (PERS-45) notification letter will not normally be approved. COs must forward the request with endorsement within 10 days.

16. **Resignation Requests for Humanitarian Reasons or for Hardship from Officers on ACDU.** Resignation requests submitted for humanitarian reasons or hardship must be in compliance with MILPERSMAN 1920-190 and 1920-200. Requests must contain certain criteria and provide specific documentation as enclosures under MILPERSMAN 1300-500. RAD requests must be in compliance with MILPERSMAN 1920-090 and 1300-500, and forwarded to NAVPERSCOM (PERS-834).

17. **Officers Who Resigned Their Commissions and Returned to Extended ACDU.** Those officers who have voluntarily resigned their commissions from the Naval Service and who return to extended (recall) ACDU may request resignation-related material, which

contains reasons for resignation that might prejudice success after return to ACDU or consideration for promotion, be expunged. Applicable portions of the resignation letter or letter of intent to resign may be expunged at any time after the officer has returned to ACDU. The resignation letter will not be removed in its entirety, as the request for voluntary resignation is considered relevant to an officer's record. Separation orders and fitness reports will not be expunged.