

MILPERSMAN 7220-410

RETROACTIVE STOP LOSS SPECIAL PAY COMPENSATION

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References	<p>(a) P.L. 112-74, Consolidated Appropriations Act of 2012, Section 8105. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 124 Stat. 1871).</p> <p>(b) 10 U.S.C., §2771.</p> <p>(c) Department of Defense Appropriations Act, 2010, Section 8108, Continuation of Stop Loss. Special Pay (effective December 19, 2009).</p> <p>(d) CNO WASHINGTON DC 282013Z SEP 01 (NAVOP 012/01).</p> <p>(e) CNO WASHINGTON DC 110015Z OCT 01 (NAVADMIN 265/01).</p> <p>(f) CNO WASHINGTON DC 011844Z Mar 02 (NAVOP 003/02).</p> <p>(g) CNO WASHINGTON DC 051608Z Aug 02 (NAVADMIN 239/02).</p> <p>(h) CNO WASHINGTON DC 072247Z Apr 03 (NAVOP 005/03).</p> <p>(i) CNO WASHINGTON DC 112045Z Apr 03 (NAVADMIN 083/03).</p> <p>(j) CNO WASHINGTON DC 151530Z MAY 03 (NAVADMIN 121/03).</p> <p>(k) 5 U.S.C., §552a</p>
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1. **Purpose.** Retroactive stop loss special pay (SLSP) compensates members, who, at any time during the period beginning on 11 September 2001 and ending on 30 September 2009, served on ACDU while the member's enlistment or period of obligated service was involuntarily extended due to the provision of law commonly referred to as "stop loss authority," or similarly, whose eligibility for retirement and or transfer to the Fleet Reserve was suspended due to application of "stop loss authority." Consistent with references (a) through (c), this MILPERSMAN article restates policy, defines eligibility

criteria, and sets forth the application process for retroactive SLSP. The amount of compensation shall be \$500 per month for each month or any portion of a month during a period that the member was retained on ACDU as a result of application of stop loss authority. Members will not receive a payment for the same month or portion of a month during which the member was retained on ACDU under stop loss authority.

2. **Eligibility.** Eligible members include members of the Active and Reserve components, officer or enlisted, former members, and retired and or Fleet Reserve members, who, at any time during the period on or after 11 September 2001 and ending before or on 30 September 2009, served on ACDU and had their enlistments or periods of obligated service involuntarily extended due to the provision of law commonly referred to as "stop loss authority." In the event that an eligible member is deceased, payment shall be made as **unpaid pay and allowances** per reference (b).

a. The Secretary of the Navy (SECNAV) exercised the stop loss authority during two separate periods between 11 September 2001 and 30 September 2009. During each period, only specific personnel with specific critical skills were identified as required to remain on ACDU (i.e., involuntarily extended) beyond the expiration of their enlistment and or obligated service, or eligibility for retirement and or transfer to the Fleet Reserve. Personnel with those skills may have been notified that their critical skill may lead to stop loss action. That notification does not, in and of itself, mean that an individual was involuntarily retained on ACDU.

b. Only an individual with a critical skill, Navy enlisted classification (NEC), designator, or additional qualification designator (AQD) identified in paragraphs 2c(1) or 2c(2) below, is eligible to apply, if the individual:

(1) Had an approved separation or retirement and or Fleet Reserve date that was suspended or cancelled during the periods identified due to application of stop loss authority;

(2) Requested separation or retirement and or transfer to the Fleet Reserve for a date within the stop loss periods identified, and was denied separation or retirement and or transfer to the Fleet Reserve due to stop loss authority; or

(3) Served on ACDU and a period of obligated service was otherwise involuntarily extended due to stop loss authority during the periods identified.

c. Periods in which SECNAV exercised stop loss authority and the critical skills associated with each period are as follows:

(1) **10 October 2001 to 31 December 2002**, as outlined in reference (d) through reference (g).

(a)	<p>Enlisted:</p> <ul style="list-style-type: none"> • All personnel in the master at arms (MA) rating, excluding non-MA personnel who held the 815A NEC. • All enlisted sea, air, and land personnel (NEC 532X, 8491, or 8492). • All enlisted special warfare combatant-craft crewmen (NEC 5351 or O52A). • All enlisted explosive ordnance disposal personnel (NEC 533X). • Cryptologic technicians (interpretive) CTI (NEC 9193, 9208, 9215, 9216).
(b)	<p>Officer:</p> <ul style="list-style-type: none"> • All O3 and O4 special operations officers (114X). • All security limited duty officers (LDOs) (6490). • All security technician warrant officers (7491). • All cryptologic officers (161X, 644X, 744X). • All physicians (210X) with subspecialty codes 15C0 and or 15C1 (All AQDs), 15H0 and or 15H1 (All AQDs), 16R1 (AQD 6RR, 62C), 15B0 and or 15B1 (All AQDs), 16P0 and or 16P1 (All AQDs), and 16X0. • All Nurse Corps officers (290X) with subspecialty codes 1930, 1945, 1950, 1960, 1972, or 1976.
(c)	<p>Any member who possesses one or more of the following Department of Defense (DoD) language codes or NECs:</p> <ul style="list-style-type: none"> • AB, AD, AE, AK, AL, AM, AN, AP, AQ, AU, AV, AX, AZ, BT, DG, HE, HJ, JN, JV, PF, PG, PJ, PV, PW, RU (officer only), SC (officer only), TB, TC, UB, UK, UR, UX, 9208, 9209, 9215, or 9216.

(2) **3 April 2003 to 15 September 2003**, as outlined in reference (h) through reference (j).

(a)	Enlisted: <ul style="list-style-type: none">• All personnel in the MA rating.• E-3 through E-6 Navy law enforcement specialists (NEC 815A)• Enlisted afloat planning system maintenance technicians (NEC 1676).• Enlisted mission distribution system operators (NEC 740A).• Cryptologic technicians (interpretive) CTI (NEC 8295 or C06A).• Hospital corpsmen (HM) (NEC L02A, 8125, L11A, or L32A).• E-1 through E-6 field medical service technicians (HM NEC L03A).
(b)	Officer: <ul style="list-style-type: none">• All security LDOs (649X).• Security technician warrant officers (749X).

NOTE: Personnel not possessing one of the specific critical skills, NECs, designators, or AQDs identified above do not meet eligibility requirements for retroactive SLSP and should not submit an application. Further, individuals possessing one of the specific skills listed, but who were not actually involuntarily extended beyond the expiration of their obligated service, period of enlistment, or date of retirement and or Fleet Reserve eligibility, are not eligible for this special pay and should not apply.

d. Members who were discharged or released from the Armed Forces under **other than honorable** conditions are not eligible to receive retroactive SLSP and should not submit an application.

e. Members who reenlisted following a cancellation, denial of separation, or retirement and or transfer to the Fleet Reserve would be eligible for retroactive SLSP within the stop loss periods identified above only up to the day before the date of reenlistment, due to the fact that the reenlistment was a voluntary election to remain on ACDU. Similarly, members who entered into an agreement to receive a bonus, special and or incentive pay, or other benefit in exchange for an obligation of

additional service while under stop loss would only be eligible for retroactive SLSP within the stop loss periods identified above up to the day before the date of the agreement, regardless of the date of payment and or receipt of the benefit.

f. By law, Reserve component members retained under stop loss authority will receive retroactive SLSP only for service on ACDU. As such, Reserve component members may have periods before and after mobilization while under stop loss authority during which no retroactive SLSP can be paid.

(1) An enlisted member of the Reserve component is eligible for SLSP if the member is serving on ACDU and the period of ACDU involuntarily extends the member beyond their Reserve end of current contract (RECC).

(2) The member's RECC is the termination of the member's obligation to the Ready Reserve. For example, a Sailor assigned to a Ready Reserve and or Selected Reserve unit is obligated to perform with that duty, including involuntary orders to ACDU, provided the period of duty is not beyond the member's RECC.

(3) An officer is eligible for SLSP if the officer is serving on ACDU and the period of ACDU involuntarily extends the officer beyond an approved date of resignation or retirement, or for an officer fulfilling an initial contractual period of ACDU if involuntarily extended on beyond the officer's end of active service.

g. Per reference (c), Service members who were retained on ACDU under the stop loss provision and who subsequently voluntarily reenlisted or extended their service or suspended their retirement and received a bonus for such reenlistment or extension of service, are not eligible to receive retroactive SLSP.

3. Application Process

a. Individuals who meet the criteria above may submit an application between 21 October 2009 and 21 October 2012. By law, there is no authorization to make payments on claims that are submitted after 21 October 2012. **DD 2944 Claim for Retroactive Stop Loss Payment** is the official application form that must be submitted and can be found by using the following link:

<http://www.dtic.mil/whs/directives/infomgt/forms/dd/ddforms2500->

[2999.htm](#). Failure to include all required information and supporting documentation may delay processing or result in the inability to process an application. Claimants will be notified that additional documentation is required and the application will be held pending submission of supporting information.

b. Completed applications may be forwarded to Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Branch (PERS-832) by using one of the following methods:

(1) Via standard mail service:

Commander Navy Personnel Command
PERS 832
5720 Integrity Drive
Millington, TN 38055-8320

(2) Via e-mail: MILL_NAVYSTOPLOSS@NAVY.MIL

c. Applicants or family members of eligible deceased Service members may call NAVPERSCOM (PERS-832) at (901) 874-4433 for assistance in completing the application, if required.

d. Applications that are approved will be forwarded to Defense Finance and Accounting Service (DFAS) for payment via electronic funds transfer into the bank account provided in the application and applicants will be notified of approval.

e. Applications that are disapproved will be returned to the claimant with an explanation for the disapproval. Claimants who believe the determination to be in error may appeal to the Board for Correction of Naval Records (BCNR). Additional details related to the BCNR process may be found at: <http://www.donhq.navy.mil/bcncr/bcncr.htm>

4. **Authorized Supporting Documents**. Source documents that substantiate claims must be submitted with all applications. **No applications will be considered without supporting documentation.** Examples of source documentation include, but are not limited to:

a. DD 214 Certificate of Release or Discharge from Active Duty and or DD 215 Correction to DD 214, Certificate of Release or Discharge from ACDU;

- b. Personnel record, enlistment document, or reenlistment document recording original expiration of service date;
- c. Approved retirement and or transfer to the Fleet Reserve memorandum or orders establishing retirement prior to actual date of retirement as stipulated in DD 214 or DD 215;
- d. Approved resignation memorandum or transition orders establishing a separation date prior to actual date of separation as stipulated on DD 214 or DD 215;
- e. Revocation of orders;
- f. Letter or naval message that denies a request for retirement and or transfer to the Fleet Reserve or separation;
- g. Copy of initial retirement and or transfer to the Fleet Reserve or separation order with subsequent final order enacting final retirement and or transfer to the Fleet Reserve or separation (demonstrates change in orders);
- h. Copy of request to reestablish retirement and or transfer to the Fleet Reserve date;
- i. Signed documentation or affidavit from knowledgeable officials from the individual's chain of command; and or
- j. Other documentation that the claimant feels may support their claim.

If source documents cannot be located, individuals must obtain copies from the National Archives at: <http://www.public.navy.mil/bupers-npc/career/recordsmanagement/Pages/default.aspx>

5. Reporting Requirements

- a. In all cases, the following reporting requirements involving personally identifiable information will be properly protected and encrypted for transmission per reference (k).
- b. NAVPERSCOM (PERS-832) will submit a spreadsheet of approved submissions for payment to DFAS on a weekly basis containing the following information: last name, first name, middle initial, grade, social security account number, service, component, date stop loss pay entitlement began, date stop loss pay entitlement ended, street and or apartment #, city, state,

zip code, beneficiary last name (if applicable), beneficiary first name (if applicable), bank account routing number, bank account type, claimant e-mail, claimant phone number, and location and or country.

c. NAVPERSCOM (PERS-832) will maintain a spreadsheet that includes the following information:

(1) Number of claims filed;

(2) Number of claims approved;

(3) Number of claims denied and reasons why, including those claims denied because the claimant was discharged or released under other than honorable conditions;

(4) Number claims pending and why;

(5) Amount of the payment approved for each claim, to include mean and median payments provided per claimant;

(6) Number of claims and payments made per reference (b) for deceased claimants;

(7) Date of receipt of claim; and

(8) Date of claim approval.

d. Office of Chief of Naval Operations (OPNAV), Pay and Compensation Branch (N130) in conjunction with NAVPERSCOM (PERS-832), DFAS, BCNR, and OPNAV, Manpower, Personnel, Training, and Education Resource Management Division (N10) will submit a quarterly report (submission date to be determined) to the DoD that includes the following information:

(1) Number of claims filed;

(2) Number of claims approved;

(3) Number of claims denied and reasons why (including those claims denied because the claimant was discharged or released under other than honorable conditions);

(4) Number of claims pending and why;

(5) Total amount of funding that has been obligated, to include mean and median payments provided per claimant;

(6) Number of claims and payments made, per reference (b), for deceased claimants; and

(7) Mean and median processing times from receipt of claim to payment.

6. **Cancellation.** Unless extended under separate correspondence, the retroactive SLSP Compensation Program ends on 21 October 2012. No applications postmarked after this date will be accepted and this article will be cancelled.