

U.S. Department of
Homeland Security

United States
Coast Guard



Temporary Separations

COMDTINST M1040.6A

October 2021



COMDTINST M1040.6A
15 OCT 2021

COMMANDANT INSTRUCTION M1040.6A

Subj: TEMPORARY SEPARATIONS

- Ref:
- (a) Military Separations, COMDTINST M1000.4 (series)
 - (b) Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series)
 - (c) Coast Guard Recruiting Manual, COMDTINST M1100.2 (series)
 - (d) Military Assignments and Authorized Absences, COMDTINST M1000.8 (series)
 - (e) Coast Guard Weight and Body Fat Standards Program Manual, COMDTINST M1020.8 (series)
 - (f) Joint Travel Regulations
 - (g) Certificate Of Release Or Discharge From Active Duty, DD Form 214, COMDTINST M1900.4 (series)
 - (h) Military Bonus Programs, COMDTINST M7220.2 (series)
 - (i) Reserve Policy Manual, COMDTINST M1001.28 (series)
 - (j) Coast Guard Medical Manual, COMDTINST M6000.1 (series)
 - (k) Enlistments, Evaluations, and Advancements, COMDTINST M1000.2 (series)
 - (l) Personnel & Pay Procedures Manual, PPCINST M1000.2 (series)
 - (m) Reserve Duty Status and Participation Manual, COMDTINST M1001.2 (series)
 - (n) Sexual Assault Prevention And Response (SAPR) Program, COMDTINST M1754.10 (series)

1. PURPOSE. This Manual promulgates policies and standards for administering the Coast Guard Temporary Separation (TEMPSEP) program. The intent of this program is to allow high performing active duty personnel to return to active duty after a short break from active duty.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements shall comply with the provisions of this Manual. Internet release is authorized.
3. DIRECTIVE(S) AFFECTED. Temporary Separations, COMDTINST M1040.6 dated November 1, 2018 is hereby cancelled.

DISTRIBUTION – SDL No. 170

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z	
A	X	X		X	X	X	X		X	X	X	X	X	X	X	X	X		X		X	X					
B	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
D	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	
E	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X			
F																	X	X	X								
G		X	X	X	X																						
H	X	X	X	X	X	X	X	X		X	X																

NON-STANDARD DISTRIBUTION:

4. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to nor does it impose legally-binding requirements on any party outside the Coast Guard.
5. MAJOR CHANGES. This Manual has been completely revised from its previous version and a thorough review of the entire Manual is strongly recommended. Major changes include: removing tour completion and time in grade requirements for enlisted members that wish to TEMPSEP on their EOE, added provisions for members to request a TEMPSEP for hardship instead of a hardship discharge if the hardship is temporary and PSC approves, changed maximum time on TEMPSEP from two years to three years, and requiring members to request a return to active duty at least one year before their expected return date.
6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.
 - a. The development of this Manual and the general policies contained within it were thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, Commandant (CG-47). This Manual is categorically excluded under current Department of Homeland Security (DHS) categorical exclusion (CATEX) A3 from further environmental analysis in accordance with Implementation of the National Environmental Policy Act (NEPA), DHS Instruction Manual 023-01-001-01 (series).
 - b. This Manual will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, state, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policy in this Manual must be individually evaluated for compliance with the NEPA, DHS and Coast Guard NEPA policy, and compliance with all other applicable environmental mandates.
7. DISTRIBUTION. No paper distribution will be made of this Manual. An electronic version will be located on the following Commandant (CG-612) web sites. Internet: <http://www.dcms.mil/directives/> and CGPortal: <https://cg.portal.uscg.mil/library/directives/SitePages/Home.aspx>.
8. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Manual, regardless of format or media, must be managed in accordance with the records retention schedules located on the Records Resource Center CGPortal site: <https://cg.portal.uscg.mil/units/cg61/CG611/SitePages/Home.aspx>.
9. FORMS/REPORTS. The forms referenced in this Manual are available in USCG. Electronic Forms on the Standard Workstation or on the Internet: <https://dcms.uscg.afpims.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-CG-61/Forms-Management/>; CGPortal: <https://cgportal2.uscg.mil/library/forms/SitePages/Home.aspx>.
10. SECTION 508. This Manual was created to adhere to Accessibility guidelines and standards as promulgated by the U.S. Access Board. If changes are needed, please communicate with the Coast Guard Section 508 Program Management Office at: Section.508@uscg.mil.

11. REQUEST FOR CHANGES. Recommendations for changes or improvements to Temporary Separations Manual, COMDTINST M1040.6 (series), are welcome and should be submitted via the chain of command to: Office of Military Personnel, Policy Sustainment Division, Commandant (CG-1334) at: HQS-PolicyandStandards@uscg.mil.

/DR. DONNA M. NAVARRO/
Senior Executive Service, U.S. Coast Guard
Director of Military Personnel

Table of Contents

CHAPTER 1	OVERVIEW	1-1
A.	Policy	1-1
B.	Summary	1-1
C.	Other Coast Guard Policies	1-1
CHAPTER 2	ROLES AND RESPONSIBILITIES.....	2-1
A.	Overview.....	2-1
B.	Assistant Commandant for Human Resources (CG-1).....	2-1
C.	Commander, Coast Guard Personnel Service Center (CG PSC).....	2-1
D.	Unit Commanding Officers/Officers-In-Charge.....	2-1
E.	Member.....	2-2
CHAPTER 3	ELIGILITY FOR, GRANTING, AND CANCELLING TEMPSEP	3-1
A.	Overview.....	3-1
B.	All Members.....	3-1
C.	Officers.....	3-2
D.	Enlisted.....	3-2
E.	All Members Ineligible for TEMPSEP.....	3-2
F.	Ineligible Officers.....	3-3
G.	Ineligible Enlisted Members.....	3-3
H.	Service Cancelling TEMPSEP Option.....	3-3
I.	Member Request to Cancel TEMPSEP.....	3-4
CHAPTER 4	OTHER REASONS TO REQUEST TEMPSEP	4-1
A.	Overview.....	4-1
B.	Care of Newborn Children (CNC).....	4-1
C.	Surrogacy.....	4-1
D.	Unrestricted Reports of Sexual Assault.....	4-1
E.	Hardship.....	4-2
CHAPTER 5	APPROVED TEMPORARY SEPARATIONS.....	5-1
A.	Overview.....	5-1
B.	All Members who TEMPSEP.....	5-1
C.	Officers.....	5-1
D.	Enlisted.....	5-2
CHAPTER 6	AFFILIATION WITH THE RESERVE	6-1
A.	Overview.....	6-1
B.	All Members.....	6-1
C.	Officers.....	6-1

D. Enlisted. 6-2

CHAPTER 7 REQUIREMENTS TO RETURN TO ACTIVE DUTY 7-1

A. Overview. 7-1

B. All Members. 7-1

CHAPTER 8 RETURN TO ACTIVE DUTY 8-1

A. Overview. 8-1

B. All Members. 8-1

C. Officers. 8-1

D. Enlisted. 8-2

CHAPTER 9 DEFINITIONS 9-1

A. Overview. 9-1

B. Definitions. 9-1

CHAPTER 1 OVERVIEW

A. Policy.

1. The intent of this program is to retain the valuable experience and training members possess that might otherwise be lost by voluntary separations.
2. The Temporary Separation (TEMPSEP) program allows Coast Guard active duty members to return to active duty after a temporary separation, allowing the member to focus on personal interests/issues that might preclude them from remaining on active duty.

B. Summary. This Chapter is a summary of the program. Subsequent chapters detail specific policies and standards.

1. A member separating through TEMPSEP may be able to reenlist or reappoint to active duty subject to physical conditions and other qualifications. Returning members must only be given the same pay-grade and relative precedence prior to separation.
2. All members requesting TEMPSEP must agree to affiliate with the Coast Guard Reserve for the entire TEMPSEP period.
3. A member separated under this policy must not receive any military entitlement during the temporary separation period, except for benefits provided while serving in the Coast Guard Reserve.
4. No member is required to return to active duty after the TEMPSEP agreement is expired.
5. No member is required to remain affiliated with the Coast Guard Reserve after the TEMPSEP agreement expires, subject to any other military service obligation requirement.

C. Other Coast Guard Policies.

1. Unless otherwise directed in this Manual, members must separate from the service in accordance with Reference (a).
2. Members must follow the appropriate policies for joining/re-joining the Coast Guard Reserve:
 - a. Regular commissioned officers must follow Regular to Reserve appointment policy in Reference (b).
 - b. Enlisted members must follow Reference (c).

COMDTINST M1040.6A

- c. Reserve Component Managers (RCMs) must follow the RCM designation removal policy in Reference (b).
- 3. Members who return to active duty must be assigned in accordance with Reference (d).

CHAPTER 2 ROLES AND RESPONSIBILITIES

- A. Overview. This Chapter describes general responsibilities for Coast Guard units and members. Subsequent chapters detail additional and specific responsibilities.
- B. Assistant Commandant for Human Resources (CG-1).
1. Commandant (CG-133) will serve as the sponsoring office for this Manual.
 2. Commandant (CG-126) will:
 - a. Assist Commander, Coast Guard Personnel Service Center (CG PSC) with the requirements in Section 2.C.2. of this Manual.
 - b. Forecast the number of returnees to active duty for Commander (CG PSC) for planning purposes.
- C. Commander, Coast Guard Personnel Service Center (CG PSC). Commander (CG PSC) will:
1. Develop, promulgate, implement, and review operating procedures in accordance with this Manual.
 2. Annually report the health of the TEMPSEP program (by pay-grade) to Commandant (CG-13), to include:
 - a. Number of applicants for the program,
 - b. Number of approvals,
 - c. Number and reasons for denial,
 - d. Number of personnel currently on TEMPSEP, and
 - e. Number of personnel who returned from TEMPSEP.
 3. Contact members on TEMPSEP annually.
 4. Commander (CG PSC-OPM-1/EPM-1) must act as approving authority to approve or deny eligible requests for TEMPSEP and deny ineligible requests.
 5. Commander (CG PSC-c) will act as the appeal authority for all TEMPSEP requests. This authority may be delegated to officers in the pay-grade of O-6.
- D. Unit Commanding Officers/Officers-In-Charge.
1. Ensure members are familiar with the TEMPSEP program.

COMDTINST M1040.6A

2. Endorse and send TEMPSEP request to Commander (CG PSC-OPM-1/EPM-1).

E. Member.

1. Maintain physical and readiness standards for retention per Reference (m).
2. Maintain contact information and respond to all correspondence per Reference (m).
3. Provide notification of intent to return to active duty per timelines in Section 7.B of this Manual.

CHAPTER 3 ELIGIBILITY FOR, GRANTING, AND CANCELLING TEMPSEP

- A. Overview. This Chapter describes how to determine eligibility for TEMPSEP and standards for granting and cancelling TEMPSEP agreements. To ensure maximum eligibility, all members are eligible unless explicitly ineligible because of a reason in Section 3.E. through 3.G. of this Manual. Members who are not eligible for a specific reason described in Section 3.E. through 3.G. of this Manual could still be eligible under Chapter 4 of this Manual.
1. If not explicitly ineligible for TEMPSEP per this Chapter, a member must be eligible for TEMPSEP.
 2. Eligibility for TEMPSEP does not guarantee approval. Commander (CG PSC-OPM-1 /EPM-1), must approve or deny eligible requests based on the needs of the Service and the member's record.
 3. Requests that Commander (CG PSC-c) has determined ineligible may not be appealed.
 4. Commander (CG PSC) may create additional requirements for granting TEMPSEP to eligible members, including timelines to allow ample time for promotion/advancement and assignments processes to account for the member's separation.
- B. All Members.
1. Members must submit their request for TEMPSEP through their unit commander in accordance with directions set by Commander (CG PSC). Failure to follow this procedure may cause a person to be ineligible or delayed in approval for TEMPSEP.
 2. Members may request a TEMPSEP in lieu of discharge by reason of hardship if the hardship is temporary in nature. Determinations for a hardship TEMPSEP are made by Commander (CG PSC-OPM-1/EPM-1).
 3. Eligibility for TEMPSEP is based on the requested separation date, not on the date of the request for TEMPSEP.
 4. Personnel who already have an approved separation date may request, prior to that date, TEMPSEP in lieu of normal separation. Denial of TEMPSEP must not impact the original separation request.
 5. The use of any type of leave must not impact the determination, approval, or disapproval for TEMPSEP.
 6. Requests must include a signed acknowledgment of the specific conditions governing:
 - a. Separation in accordance with Chapter 5 of this Manual,

- b. Joining the Reserve in accordance with Chapter 6 of this Manual,
 - c. Return to active duty in accordance with Chapter 7 and 8 of this Manual,
 - d. Loss of active duty benefits after separation, and
 - e. Adjustment of:
 - (1) Precedence and date of rank for officers upon return to active duty, and
 - (2) Time in Rate (TIR) for enlisted members upon return to active duty.
- C. Officers. Any officer may request a TEMPSEP without regard to tour completion status, unless otherwise ineligible by any other provision of this Chapter. The eligibility timeframe for executing TEMPSEP is 01 May to 01 October.
- D. Enlisted. Any enlisted member may request a TEMPSEP upon their expiration of enlistment regardless of time of service, pay-grade, or tour completion, unless otherwise ineligible by any other provision of this Chapter.
- E. All Members Ineligible for TEMPSEP. The following members are ineligible to request TEMPSEP.
- 1. Members who have previously separated from active duty through a TEMPSEP agreement in their career. This provision does not apply to members who were approved for TEMPSEP but the request was cancelled before the member left active duty.
 - 2. Members with active duty obligated service. Active duty obligated service means a commitment of active duty time due to some benefit a member received, such as training, tuition assistance, permanent change of station orders, advancement, or promotion, etc.
 - 3. Members on Extended Active Duty (EAD), except for permanent RCMs.
 - 4. Members in receipt of permanent change of station (PCS) orders.
 - 5. Members pending investigation, performance probation, NJP, court-martial, or civilian criminal charges or proceedings.
 - 6. Members with a record of civil convictions, NJP or court-martial, in the two years prior to the requested separation date.
 - 7. Members eligible for a regular, non-regular, or physical disability retirement.
 - 8. Members on a current body fat probation (if member has an exemption or abeyance for weight probation in accordance with Reference (e), they are still eligible to request TEMPSEP).

F. Ineligible Officers. In addition to requirements in Section 3.C and 3.E of this Manual, the following officers are ineligible for TEMPSEP.

1. Officers with less than five years continuous active duty in the Coast Guard prior to TEMPSEP. Cadet time must not be creditable for this policy. Enlisted time is creditable for this policy.
2. Permanent regular commissioned Ensigns and Lieutenants (junior grade).
3. Temporary regular commissioned officers with less than three years active duty as an officer.
4. Officers, other than permanent RCMs and regular commissioned warrant officers, who are not on the active duty promotion list (ADPL).
5. Regular commissioned warrant officers who have not completed their three year probationary period.
6. Officers who have been non-selected, in the current pay-grade, for promotion.
7. Officers with a mark of 3 or less in any dimension of an OER for the current pay-grade.

G. Ineligible Enlisted Members. In addition to requirements in Section 3.D and 3.E of this Manual, the following enlisted members are ineligible for TEMPSEP.

1. High Year Tenure candidates.
2. Members ineligible or not recommended for re-enlistment at the time of separation.
3. Members with a 3 or less in any dimension in any Enlisted Employee Review Summary in the last 4 years.
4. For members with an unsatisfactory mark in Conduct for the 12 months before submission of the request. For members who have no evaluations during the 12 months preceding the request, use marks for the preceding 24 months before submitting the request.

H. Service Cancelling TEMPSEP Option.

1. Commander (CG PSC-OPM-1/EPM-1) may cancel the TEMPSEP approval prior to active duty separation upon evidence the member is no longer eligible (pending NJP, weight probation, non-selection for promotion, etc.).
2. Commander (CG PSC-OPM-1/EPM-1) must:

- a. Require the member to stay on active duty for situations such as pending investigation, performance probation, NJP, court-martial, or civilian criminal charges or proceedings,
 - b. Allow the member to separate from active duty without the TEMPSEP, or
 - c. Allow the member to voluntarily remain on active duty.
3. Commander (CG PSC-OPM-1/EPM-1) must not cancel the TEMPSEP approval between separation and prior to return to active duty unless the member invalidates the requirements in Chapter 7 of this Manual.

I. Member Request to Cancel TEMPSEP.

1. Members approved for TEMPSEP may request to cancel, prior to their separation date, their approved TEMPSEP agreement to remain on active duty or separate without TEMPSEP.
2. Members desiring to cancel their TEMPSEP and remain on active duty must follow submission requirements set by Commander (CG PSC).
 - a. Members, whose request to cancel their approved TEMPSEP to remain on active duty is approved, are subject to reassignment at the needs of the Service.
 - b. Commander (CG PSC-OPM-1/EPM-1) must approve or reject the cancellation request based on needs and impact of the Service.
 - c. Members who voluntarily cancel their approved request for TEMPSEP are not eligible for TEMPSEP for two years from the date of the cancellation request.
3. Commander (CG PSC-OPM-1/EPM-1) will notify the command and member of their final action on the member's request for cancellation of TEMPSEP.

CHAPTER 4 OTHER REASONS TO REQUEST TEMPSEP

- A. Overview. This Chapter modifies the eligibility requirements described in Chapter 3 of this Manual for certain members.
1. All requirements in Chapter 3 apply to this Chapter unless member has an approved waiver, which is on a case by case basis.
 2. Members approved under this Chapter are subject to all requirements in subsequent Chapters.
- B. Care of Newborn Children (CNC). This Section applies to both adoptions and to biological parents.
1. These members must meet the following additional criteria:
 - a. The child must be a dependent of the active duty member at the time of separation.
 - b. The child must be less than 1 year old at the time of separation.
 2. A member may submit a request when he or she is:
 - a. On an approved list for adoption with an adoption agency, or
 - b. Pregnant.
- C. Surrogacy. This Section applies to all types of surrogacy as defined in Chapter 9 of this Manual. These members must meet the following additional criteria:
1. Members must not receive medical treatment to induce surrogacy approval prior to receiving approval for TEMPSEP.
 2. Any medical treatment relating to surrogacy must not be borne by the Coast Guard.
 3. Members must separate within 30 days of medical confirmation of pregnancy.
 4. Members must remain in the Inactive Status List (ISL) until the surrogacy is completed.
- D. Unrestricted Reports of Sexual Assault. Requests under this Section are not based on needs of the Service, and Commander (CG PSC-OPM-1/EPM-1) must grant these requests whenever possible.
1. These members must meet the following additional criteria:
 - a. Have submitted a Victim Reporting Preference Statement, Form CG-6095, with the unrestricted reporting option selected, within two years of the requested separation date.

- b. Commander (CG PSC) Staff Judge Advocate determines by preponderance of the evidence that a crime of sexual assault may have occurred.
2. These members are exempt from the following ineligibility requirements.
- a. A member may be eligible despite having TEMPSEP already in their career, as specified in Section 3.E of this Manual.
 - b. Commander (CG PSC-OPM-1/EPM-1), may waive eligible obligated service in Section 3.E of this Manual. Waiving obligated service does not waive resulting recoupment action for any debt, including graduate school tuition and Selective Reenlistment Bonus.
 - c. Commander (CG PSC-OPM-1/EPM-1), may waive ineligibility requirements regarding disciplinary action or pending disciplinary action criteria specified in Section 3.E of this Manual.
 - d. The continuous active duty requirement in Section 3.F, as appropriate, in this Manual.
- F. Hardship. Members may request a TEMPSEP in lieu of discharge by reason of hardship if the hardship is temporary in nature. Determinations for a hardship TEMPSEP are made by Commander (CG PSC-OPM-1/EPM-1).

CHAPTER 5 APPROVED TEMPORARY SEPARATIONS

- A. Overview. This Chapter covers policies and standards for approved TEMPSEPs, including cancelling the TEMPSEP by the member or the Coast Guard.
- B. All Members who TEMPSEP.
1. The minimum amount of time for a TEMPSEP is six months. Request for a period less than six months will be reviewed on a case by case basis and will be subject to the needs of the service.
 2. The maximum amount of time for TEMPSEP is three years, including processing time to return to active duty. More information on returning to active duty is found in Chapter 7 of this Manual.
 3. All members must follow policy for affiliating with the Coast Guard Reserve in accordance with Chapter 6 of this Manual.
 4. Members discharged from the Service are entitled to transportation of household effects from the last duty station to home of record or the place from which ordered to Active Duty in accordance with Reference (f).
 5. Members must use, sell, or forfeit all earned leave prior to separation in accordance with Reference (a).
 6. Members must receive an honorable discharge.
 7. Members must receive a Certificate of Release or Discharge from Active Duty, DD Form 214, in accordance with Reference (g).
 8. The Separation Program Designator (SPD) must be FGQ for officers and MGQ for enlisted and separation is voluntary.
 9. Any unearned bonus payments that have been paid to the member will be recouped before the member separates. There is no legal authority for reinstating bonus payments to a member who decides to return to active duty under this policy per Reference (h).
- C. Officers.
1. RCMs must have their permanent RCM designation removed. Former RCMs who wish to return to active duty from TEMPSEP must follow Reference (b).
 2. Officers separating under TEMPSEP must receive regular OERs prior to separation.

COMDTINST M1040.6A

- D. Enlisted. Enlisted members are separated from the Coast Guard at the Convenience of the Government and receive a RE-1 reenlistment code.

CHAPTER 6 AFFILIATION WITH THE RESERVE

A. Overview. Affiliation with the Reserve greatly eases the Coast Guard's ability to return a member to active duty.

B. All Members.

1. All TEMPSEP members must affiliate with the Coast Guard Reserve and follow Commander (CG PSC) procedures for affiliating with the Coast Guard Reserve.
2. Commander (CG PSC) must assign members at the needs of the Service.
3. Members must choose from the following, with Commander (CG PSC) input, in which Reserve sub-category they wish to affiliate. A member's choice may be restricted based on individual factors, such as remaining obligated service.
 - a. Selected Reserve (SELRES),
 - b. Individual Ready Reserve (IRR), or
 - c. Inactive Status List (ISL).
4. Commander (CG PSC) must advise members, who wish minimal affiliation or requirements with the Coast Guard Reserve, to request assignment to the ISL.
5. TEMPSEP Reservists must be treated the same as non-TEMPSEP Reservists and subject to all Reserve requirements in accordance with References (i) and (m).
6. Members must receive all entitlements in accordance with References (i) and (m), including retirement credit service in the active component of the Coast Guard.
7. Members may earn any type of retirement points for any reason, other than voluntary EAD, without cancelling the TEMPSEP agreement.
8. Members must have their TEMPSEP agreement cancelled if separated involuntarily or if there is documentation of misconduct while affiliated in the Reserve.
9. Members must have their TEMPSEP agreement cancelled if performing voluntary EAD (including becoming a provisional RCM). These members may not return to active duty via TEMPSEP.

C. Officers.

1. Commander (CG PSC) must not recommend to the Secretary concerned a change to the:
 - a. Pay-grade of any officer approved for TEMPSEP, or

COMDTINST M1040.6A

- b. Precedence of any officer approved for TEMPSEP (14 USC § 3755).
 2. Officers who were selected for promotion on the Active Duty or RCM promotion lists but separated prior to promotion must be promoted on the IDPL in accordance with References (b) and (i).
 3. RCMs must give up their permanent designation and be released from active duty (RELAD).
 4. Time in the Reserve, including the Inactive Status List (ISL), must count towards total commissioned service.
- D. Enlisted. Members whose rating is active duty specific must change their rating, in accordance with Reference (c).

CHAPTER 7 REQUIREMENTS TO RETURN TO ACTIVE DUTY

- A. Overview. Members who return to active duty must follow this Chapter's policies and standards.
- B. All Members.
1. Reserve members must follow procedures as directed by Commander (CG PSC). Failure to follow these procedures may void the TEMPSEP agreement or delay the return to active duty.
 2. Commander (CG PSC-OPM-1/EPM-1) must assist Reserve members as necessary in completing the processing file to return to active duty upon termination of TEMPSEP.
 - a. Officers must give 6 month notification on intent to return. It is recommended that TEMPSEP returnees align their notification with published officer assignment year timeline for the best chance at obtaining a competitive assignment.
 - b. Enlisted must give 6 month notification on intent to return.
 3. Additional evaluations may be imposed to members affiliated with the IRR or ISL prior to allowing the member to return from TEMPSEP.
 - a. Commander (CG PSC) must determine which members need additional evaluations.
 - b. Members must be required to prove they meet medical retention standards in accordance with Reference (j).
 - c. Members must meet character standards in accordance with Reference (c).
 - d. Members must meet weight and body fat standards in accordance with Reference (e).
 - e. Members traveling to meet these requirements must receive travel and pay entitlements in accordance with Reference (m) as appropriate.

CHAPTER 8 RETURN TO ACTIVE DUTY

A. Overview. This Chapter covers policy and standards for when a member returns to active duty from TEMPSEP. The intent of this Chapter is to return the member, as much as possible, to the career progression point when they left active duty.

B. All Members.

1. Members returning to active duty are entitled to PCS costs to their new duty station in accordance with Reference (f).
2. Members must be granted their previous:
 - a. Pay-grade
 - b. Relative precedence or TIR toward promotion/advancement, and
 - (1) Commission type (if a Regular commissioned officer),
 - (2) Specialty (if a warrant officer),
 - (3) Rating (if enlisted), or
 - (4) Permanent RCM designation status, if formerly a permanent RCM.
3. Members selected for promotion or advanced in the Reserve must not retain the higher pay-grade upon return to active duty. Members desiring to keep the higher pay-grade on active duty must cancel their TEMPSEP agreement and request EAD.
4. Members must not retain any precedence or TIR considerations for serving in the Reserve.
5. Upon return to active duty, Commander (CG PSC-OPM-2/EPM-2) will assign members in accordance with Reference (d).

C. Officers.

1. The effective date of pay and allowances will be the date the officer:
 - a. Executes the Regular Commissioned Acceptance and Oath of Office, or
 - b. For permanent RCMs, returns to active duty per 10 U.S.C. § 12301(d).
2. If delays by the Service or Department prevent timely reappointment as a Regular commissioned officer or RCM, the officer must be issued short-term active duty orders. This active duty time is not counted as TEMPSEP for date of rank considerations.

3. Officer's Rank, Date of Rank (DOR), and Precedence Adjustments.

a. General:

- (1) The date the officer made the request to return to active duty must not affect the Date of Rank (DOR) or precedence adjustment.
- (2) An officer's rank or selection status on the IDPL must not affect Date of Rank (DOR) or precedence adjustment.
- (3) Commander (CG PSC-OPM-1) must make DOR determinations as necessary. These determinations must not be appealed.
- (4) For officers with the same date of rank, officers with adjusted dated of rank must be senior to officers without adjusted dates of rank. This applies to all adjustments described in this Manual.

b. Selected for promotion, but not promoted prior to separation from active duty. Upon return to active duty, an officer previously selected on the Active Duty or RCM promotion lists, but not promoted prior to separation, will either:

- (1) Be placed back on the appropriate promotion list at the same relative position held prior to separation, if that list is still in effect and the officer's name has not been reached, or
- (2) Be offered an appointment in the higher grade, if the officer's name was reached or passed by on a previous list. The date of the new rank must be the day returning to active duty.

c. Not considered for promotion on the Active Duty or RCM promotion lists prior to separation from active duty. These officers must have their DOR adjusted for the amount of time on TEMPSEP. These calculations must be done in accordance with Reference (m). The officer's resulting precedence must take into account this DOR adjustment.

d. DOR adjustments for officers covered under Section 8.C of this Manual must only consider:

- (1) The date the officer separated from active duty, and
- (2) The effective date of pay and allowances specified in Section 8.C of this Manual.

D. Enlisted.

1. Members who were required to change their rating must be restored to their original rating.

2. Members whose name was above the initial cut on the enlisted advancement list prior to separation:
 - a. Will be placed back on the enlisted advancement list at the same relative position held prior to separation, if that list is still in effect and the member's name has not been reached or bypassed.
 - b. Will be reenlisted in the higher grade, if the member's name has been reached or bypassed on the current or a previous list.
3. Members whose name was not above the initial cut on the enlisted advancement list prior to separation must receive full credit for any Time in Pay Grade in present rating formerly creditable prior to their separation for computation of their SWE final multiple.
4. If not advanced to a higher grade, as described above, on return to active duty or affiliation with the Reserve, a member received credit for time served in grade before the TEMPSEP. This credit will also apply for any necessary continuous active duty requirements for advancement in accordance with Reference (k).
5. Members requesting to return to active duty after the TEMPSEP agreement expires must apply through the Open Rate List, in accordance with Reference (c), or request EAD orders.

CHAPTER 9 DEFINITIONS

A. Overview.

1. The definitions described in this Chapter apply to the entire Manual.
2. The definitions described in this Chapter may not be the exact same as other manuals.

B. Definitions.

1. Sexual Assault. Intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Further definition is found in Reference (n).
2. Surrogacy. The act of becoming pregnant to assist another woman who is unable to have a child. There is no financial, legal, or moral requirement to prove the member is acting as a surrogate.
 - a. Traditional Surrogacy. The surrogate acts as both the egg donor and as the actual surrogate for the embryo, and is generally impregnated using a process known as intrauterine insemination.
 - b. Gestational Surrogacy. In gestational surrogacy, the pregnancy results from the transfer of an embryo created by in vitro fertilization (IVF), in a manner so the resulting child is genetically unrelated to the surrogate.