

## MILPERSMAN 1160-040

### EXTENSION OF ENLISTMENTS

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<b>References</b>	10 U.S.C. 509 OPNAVINST 1160.6A OPNAVINST 1160.5C OPNAVINST 6110.1G DJMS Procedures Training Guide (PTG)
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#### 1. Definitions

a. **"Agreement to Extend Enlistment"** refers to the official form of agreement, NAVPERS 1070/621 (Rev. 1-00), Agreement to Extend Enlistment. Service record copy should be filed as page 1A. Agreements on other than the official form are of an informal, unofficial nature and could be repudiated or withdrawn by the member. Clerical instructions for preparation of the agreement are contained in DJMS PTG.

b. **"Execution of the Agreement to Extend Enlistment"** or **"execution of extension"** refer to the signature of an agreement by the member concerned and an official authorization in this manual to accept agreement on behalf of the Navy.

c. **"Extension becomes operative"** or **"operative date"** refers to the date the extension begins to run, that is, the date of expiration of enlistment, or as extended, or as adjusted for the purpose of making up time not served. Extension agreements may not be canceled after the operative date.

d. **"Conditional"** extensions are executed as prescribed below and are for periods of **23 months or less**.

e. **"Unconditional"** extensions are executed as prescribed below and are for periods of **24 months or more**.

2. Ineligibility for Extension

a. Members who are not eligible for reenlistment for any reason may not extend their enlistments without prior approval of Navy Personnel Command (NAVPERSCOM) (PERS-4811 or PERS-4832).

b. At no time may an extension of enlistment be executed for the purpose of extending an enlistment, or enlistment as extended, which has already expired. (For conditional reenlistments see MILPERSMAN 1160-030.)

c. Members in receipt of an authorization for transfer to the Fleet Reserve may **not** extend their enlistment **more than 30 days beyond** their high year tenure (HYT) or approved Fleet Reserve date (whichever is less), without specific approval of NAVPERSCOM (PERS-4823). Extension or enlistment subsequent to transfer to the Fleet Reserve is not appropriate since members in the Fleet Reserve do not serve under an enlistment contract.

3. Extension Increments. Extensions shall be executed in increments of 1 or more months not to exceed an aggregate of 48 months on any single enlistment. The 48-month limitation on extension of enlistment is statutory (10 U.S.C. 509) and cannot be waived.

4. Conditional Extensions. Conditional extensions may be executed regardless of remaining obligated service (OBLISERV) for the following reasons only, or as directed by NAVPERSCOM:

a. **To obtain maternity care benefits for a member's wife.** A member whose normal expiration of active obligated service (EAOS) falls within the wife's pregnancy may execute an extension in order to receive maternity benefits, provided the member's services can be used effectively during the period of extension. The executed extension shall not exceed the spouse's estimated delivery date plus 2 months. An agreement for this reason shall not be executed after transfer to a separation activity.

b. **To obtain maternity care benefits for a pregnant servicewoman whose normal EAOS falls within her pregnancy or postnatal period.** An extension of up to 1 year may be granted in order to receive maternity benefits, provided the member's performance has been satisfactory. An agreement for this reason

shall not be executed after transfer to a separation activity. For the purpose of this extension, the postnatal period covers the 2 months following the birth. Extensions authorized for this reason may be in addition to other extensions, provided the maximum 48 months allowed on one enlistment is not exceeded. Unusual cases may be referred to NAVPERSCOM.

c. **To complete a scheduled cruise or deployment**, provided the member's relief is not on board or en route and a projected rotation date (PRD) adjustment has been authorized by the appropriate assignment control authority (ACA) (EPMAC, New Orleans, LA, for non-rated/non-designated personnel; NAVPERSCOM for designated/rated personnel).

d. **To change the EAOS date of a member serving on any tour of duty to coincide with the established PRD.**

e. **Members serving in paygrade E-3, E-4, or E-5, who have participated in a Navy-wide advancement examination and who will be separated or discharged prior to receipt of examination results**, may extend their enlistment up to a maximum of 4 months from the date of examination to await results. The following will be entered on the agreement:

"To await examination results from the (month/year Series) Navy-wide advancement examination. I understand that this extension becomes binding upon execution and may not thereafter be canceled except as provided in MILPERSMAN 1160-040."

f. **To obtain OBLISERV required to execute permanent change of station (PCS) orders.** Two extensions are authorized if obtainment of OBLISERV by reenlistment or one single extension of enlistment will result in possible loss of selective reenlistment bonus (SRB)/enlistment bonus (EB) entitlement. For example, if a servicemember is in receipt of orders with a SRB qualifying Navy Enlisted Classification (NEC) school in route to the final destination, and does not qualify under the OBLISERV to Train (OTT) program (see most recent SRB NAVADMIN message), member may execute one extension to complete the school and a second extension to meet the total required OBLISERV on member's orders. See MILPERSMAN 1306-106 for information about OBLISERV in connection with a PCS transfer.

g. **To acquire necessary OBLISERV as authorized in certain Navy directives and this manual.** Agreements to extend an enlistment to qualify or apply for a specific program are not authorized.

h. Perform to Serve (PTS) candidates may be extended for up to 2 months to await PTS results or as published in latest PTS NAVADMIN.

5. **Unconditional Extensions**. Unconditional extensions may be executed to extend enlistment up to a **maximum of 48 months**. Unconditional extensions for **less than 24 months are not authorized**.

6. **Procedure for Executing Extension**

a. To execute an extension, NAVPERS 1070/621 shall be completed and signed on, or prior to, the date of expiration of enlistment **by the member and an official authorized in this manual** to accept the agreement on behalf of the Navy. Agreements entered into subsequent to the date of expiration of enlistment are without legal force and effect.

(1) **Conditional** agreements to extend may be executed at any time during the enlistment. The narrative reason for the extension will be entered on NAVPERS 1070/621.

(2) **Unconditional** agreements to extend enlistment may be executed at any time during an enlistment. The following reason for extension and statement of understanding shall be entered on NAVPERS 1070/621:

"To continue career. I understand that this extension becomes binding upon execution and may not be thereafter canceled, except as provided in MILPERSMAN 1160-040."

b. Before the execution of an unconditional or conditional extension of enlistment, the member shall be made aware of potential loss of monetary benefits and the provisions of the SRB program per OPNAVINST 1160.6A. The following entry shall be included on NAVPERS 1070/621 under the reason for extension:

"I have been informed of the provisions of the SRB program and the execution of this extension of enlistment may affect my entitlement to monetary benefits for a subsequent reenlistment."

#### 7. Required Physical Examination

a. A physical examination is required prior to the operative date of an extension of enlistment, or combination of extensions, **totaling 24 months or more**, unless the member has received a complete physical examination within the preceding 12 months.

b. A physical examination is **not** required for an extension of enlistment or extensions **totaling less than 24 months** if the member is currently serving on full duty without physical limitations, unless such an examination is considered warranted by the medical officer and/or member's commanding officer (CO).

c. Physical examinations shall be conducted just prior to and as near the operative date of the extension as practical by Navy medical and dental officers. When such officers are not available, and provided there is no evidence in the member's health record of recent illness or injury, waiver of the physical examination is authorized pending examination at the earliest opportunity at no travel cost to the government. Appropriate entry shall be made on NAVPERS 1070/613 (Rev. 10-81), Administrative Remarks of the member's record to ensure the required physical examination is completed at the earliest opportunity.

#### 8. Canceling an Extension Agreement

a. An extension agreement is canceled by completing the appropriate portion of the agreement. A valid extension of enlistment that has become operative is normally not canceled. When an extension becomes operative, but it appears that an extension should have been canceled, complete the remaining portion of the agreement to extend enlistment and refer the case to NAVPERSCOM.

b. COs shall cancel agreements to extend enlistment, prior to operative date, for reasons listed below. A request or recommendation for cancellation of an agreement to extend enlistment that appears meritorious, but is not authorized below, shall be forwarded to NAVPERSCOM (PERS-4811) for determination provided that the extension has not become operative. Copies of appropriate NAVPERS 1070/604 (Rev. 7-91), Enlisted Qualifications History; NAVPERS 1070/613; NAVPERS 1070/621; and NAVCRUIT 1133/52 (Rev. 10-94), Enlistment Guarantees (if applicable) must be forwarded where cancellation consideration is requested.

(1) When member **is on unauthorized absence, whose EAOS would otherwise expire** (unless the CO considers their intention to absent themselves was for the purpose of abrogating the agreement).

(2) When closing a member's record because of **desertion**.

(3) Except as provided below, when members, through no fault of their own, **have not received any of the benefits** (i.e., schools, accelerated advancement, PCS move, or EB) **for which the extension was executed** by the day preceding the operative date of the extension. Members whose extensions are canceled by the above who desire to continue on active duty may simultaneously execute a new extension or reenlist per appropriate articles in this manual, notwithstanding the time limits specified.

(4) When appropriate, when a member is **disenrolled** from a specialized course of instruction listed in MILPERSMAN 1160-080, prior to the class convening date, cite this article as cancellation or re-execution authority.

(5) When a member **reenlists**. The extension(s) shall be canceled as of the date of reenlistment, **provided term of enlistment exceeds the total aggregate months of extension(s) to be cancelled**.

(6) When the member is **no longer recommended for reenlistment** either because of failure to meet the minimum reenlistment standards set forth in this manual and OPNAVINST 1160.5C, or unsatisfactory performance of duty or conduct, and in the opinion of the CO, the member lacks career potential. A full statement of the facts shall be included in NAVPERS

1070/613 service record entry with notation that member is not recommended for reenlistment. The CO will cancel extensions under this paragraph only when the extension required resulted in no significant benefits to the member.

(7) When **cancellation of an agreement to extend is recommended, and a significant benefit resulted from the extension** (e.g., 6-year obligator program, accompanied overseas tour, or advancement), the case shall be forwarded to NAVPERSCOM (PERS-4811) for determination in time, if possible, to permit a decision prior to the operative date.

(8) When a member fails their third consecutive Physical Fitness Assessment (PFA) test or fails a third PFA within a 4-year period (see OPNAVINST 6110.1G), any inoperative extensions shall be cancelled. Member may request extensions in 6-month increments to successfully pass three consecutive PFAs. Only those personnel who have the capability of passing the next PFA shall be considered for this type of extension.

c. A request or recommendation for cancellation of an agreement to extend enlistment that appears meritorious, but is not authorized above shall be forwarded to NAVPERSCOM (PERS-4811) for determination provided that the extension has not become operative.

#### 9. Criteria for not Canceling Agreements to Extension

a. COs will **not** cancel an agreement to extend enlistment under the following conditions:

(1) Member is found to be **not physically qualified and/or limited duty is anticipated**.

(2) A member is currently on **limited duty (ACC 105)**, provided member is physically qualified in all respects with exception of the diagnosis in the basic medical board report.

(3) A member is to be **referred to a physical evaluation board (PEB) for disability proceedings** and benefits resulted from the extension.

(4) Benefits have been received under the EB program or accelerated advancement has occurred.

b. When a member is currently **on limited duty or is found not physically qualified for duty** at the expiration of enlistment, an extension agreement **cannot** be executed. In these circumstances, members will be retained in the Naval Service beyond the expiration of enlistment via an involuntary extension or conditional reenlistment. Suitability and all other eligibility must be maintained. Documentation will be made on NAVPERS 1070/613 in either case.

c. Agreements to extend enlistment will normally not be canceled for members found to be disqualified due to obesity that is not due to a medical disorder under purview of MILPERSMAN 6110-010 and OPNAVINST 6110.1G. Obesity in itself is an administrative rather than a physical disqualifying factor and should not be used as the basis for cancellation of an extension agreement per this article.