

U.S. Department of
Homeland Security

United States
Coast Guard



Temporary Separations

COMDTINST M1040.6

June 2016

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14 Jun 2016

COMMANDANT INSTRUCTION M1040.6

Subj: TEMPORARY SEPARATIONS

- Ref:
- (a) Military Separations, COMDTINST M1000.4 (series)
 - (b) Officer Accessions, Evauations, and Promotions, COMDTINST M1000.3 (series)
 - (c) Coast Guard Recruiting Manual, COMDTINST M1100.2 (series)
 - (d) Reserve Policy Manual, COMDTINST M1001.28 (series)
 - (e) Military Assignments and Authorized Absences, COMDTINST M1000.8 (series)
 - (f) Joint Travel Regulations
 - (g) Military Bonus Programs, COMDTINST M7220.2 (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. Chapter 1.E of Reference (a), Military Separations, COMDTINST M1000.4 (series) has been cancelled; the policy for TEMPSEP is now wholly within this Manual.
4. BACKGROUND. In addition to moving the TEMPSEP policy from Reference (a), Military Separations, COMDTINST M1000.4 (series), the following major TEMPSEP policy changes are implemented:
 - a. Updated roles and responsibilities due to modernization of the Coast Guard.
 - b. To ease their return to active duty, members are required join the Coast Guard Reserve.
 - c. Clarification of policy for care for newborn children (CNC) as a reason for TEMPSEP.

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NON-STANDARD DISTRIBUTION:

- d. Addition of surrogacy as a reason for TEMPSEP.
 - e. Addition of recovering from sexual assault as a reason for TEMPSEP.
 - f. Clarification on adjusting officers' precedence and date of rank upon return to active duty.
5. 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.
6. IMPACT ASSESMENT. None.
7. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.
- a. The development of this Manual and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management and are categorically excluded under current U.S.C.G. categorical exclusion (CE) # 1 and 33 from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series). Because this Manual contains guidance on, and provisions for, compliance with applicable environmental mandates, Coast Guard CE #1 and 33 are appropriate.
 - b. This directive 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 policies in this Manual must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates. Due to the administrative and procedural nature of this Manual, and the environmental guidance provided within it for compliance with all applicable environmental laws prior to promulgating any directive, all applicable environmental considerations are addressed appropriately in this Manual.
8. 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.uscg.mil/directives/> and CGPortal: <https://cgportal2.uscg.mil/library/directives/SitePages/Home.aspx>.
9. RECORDS MANAGEMENT CONSIDERATIONS. This Manual has been evaluated for potential records management impacts. The development of this Manual has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not create significant or substantial change to existing records management requirements.
10. FORMS/REPORTS. The forms referenced in this Manual are available in U.S.C.G. Electronic

Forms on the Standard Workstation or on the Internet: <http://www.uscg.mil/forms/>; CG Portal <https://cgportal2.uscg.mil/library/forms/SitePages/Home.aspx> and Intranet at <http://cgweb.comdt.uscg.mil/CGForms>.

11. REQUESTS FOR CHANGES. Units and individuals may recommend changes by writing via the chain of command to: Commandant (CG-1331), 2703 Martin Luther King Jr. Ave SE STOP 7907, Washington, DC 20593-7907.

KURT B. HINRICHS /s/
Rear Admiral, U.S. Coast Guard
Director of Reserve & Military Personnel

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Chapter 1 Overview

A. Purpose.

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 they might be precluded from performing by 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 must have a guarantee of reenlistment or reappointment to active duty subject to physical condition and other qualifications. This guarantee must only be for 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 to ensure easier return to active duty.
3. A member separated under this policy must not receive any military entitlement during the separation, 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, subject to any other military service obligation requirements.

C. Other Coast Guard policies.

1. Unless otherwise directed in this Manual, members must separate from the service in accordance with Reference (a), Military Separations, COMDTINST M1000.4 (series).
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), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
 - b. Enlisted members must follow Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).
 - c. Reserve Program Administrators (RPAs) shall follow the RPA designation removal policy in Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
3. After joining/re-joining the Coast Guard Reserve, all members must follow direction in Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series).

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4. Members who return to active duty must be assigned in accordance with Reference (e), Military Assignments and Authorized Absences, COMDTINST M1000.8 (series).

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) must serve as the sponsoring office for this Manual.
2. Commandant (CG-12A) must:
 - a. Assist Commander, Coast Guard Personnel Service Center (CG PSC) with the requirements in Article 2.C.4. 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) must:

1. Develop, promulgate, implement, and review operating procedures in accordance with this Manual.
2. Commander (CG PSC-OPM/EPM-1) must act as approving authority to approve or deny requests for TEMPSEP.
 - a. This authority may not be delegated.
 - b. Commander (CG PSC) may reserve this authority to a higher organizational level.
3. Commander (CG PSC-c) must act as the appeal authority for all TEMPSEP requests. This authority may be delegated to officers in the pay-grade of O-6.
4. 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. Reasons for denial,
 - d. Number of personnel currently on TEMPSEP, and
 - e. Number of personnel who returned from TEMPSEP.
5. Commander (CG PSC) shall regularly contact members on TEMPSEP.

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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 Articles 3.D. through 3.F. of this Manual. Members who are not eligible for a specific reason described in Articles 3.D. through 3.F. 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/EPM-1), must approve or deny eligible requests based on the needs of the Service and the member's record.

B. Authority. Commander (CG PSC-OPM/EPM-1), must:

- a. determine the request's eligibility in accordance with Chapters 3 and 4 of this Manual, and
 - b. deny ineligible requests, and
 - c. approve or deny eligible requests based on the needs of the Service and the member's record.
2. Commander (CG PSC-c), must serve as the appeal authority for eligible members' requests denied by Commander (CG PSC-OPM/EPM-1). Requests that Commander (CG PSC-OPM/EPM-1), has determined ineligible must not be appealed.
 3. 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.

C. 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. Eligibility for TEMPSEP is based on the requested separation date, not on the date of the request for TEMPSEP.
3. Personnel who already have an approved separation date may request, prior to that date, TEMPSEP in lieu of normal separation. Denial of TEMPSEP shall not impact the original separation request.
4. The use of any type of leave must not impact the determination, approval, or disapproval for TEMPSEP.
5. Requests must include a signed acknowledgment of the specific conditions governing:

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- 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 Chapters 7 and 8 of this Manual.
- d. loss of active duty benefits after separation,
- e. impact of TEMPSEP on current and future separation pay eligibility, and
- f. adjustment of:
 - (1) precedence and date of rank for officers upon return to active duty, and
 - (2) TIR for enlisted members upon return to active duty.

D. All members ineligible for TEMPSEP. The following members are ineligible to request TEMPSEP.

1. Members who have has separated from active duty through a TEMPSEP agreement in their career. This must not be held against a member who was 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 RPAs.
4. Members who are not tour complete at the time of separation.
5. Members in receipt of permanent change of station (PCS) orders.
6. Members pending investigation, performance probation, NJP, courts-martial, or civilian criminal charges or proceedings.
7. Members with a record of disciplinary action (civil arrest, NJP or courts-martial) for two years prior to requesting separation.
8. Members eligible for a regular, non-regular, or physical disability retirement.
9. Members on a current body fat probation in accordance with Coast Guard Weight and Body Fat Standards Program Manual, COMDTINST M1020.8 (series). Members may be on an exemption or abeyance.

E. Ineligible officers. In addition to requirements in Article 3.D. 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 RPAs 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.
- F. Ineligible enlisted members. In addition to requirements in Article 3.D. of this Manual, the following enlisted members are ineligible for TEMPSEP.
1. Members with less than six years of continuous active duty service in the Coast Guard. Service in another military service must not be creditable towards TEMPSEP eligibility.
 2. Members in the pay-grade E-3 or less.
 3. High Year Tenure candidates.
 4. Members ineligible or not recommended for reenlistment at the time of separation.
 5. Members with a 3 or less in any dimension in any Enlisted Employee Review Summary in the last 4 years.
 6. For the 12 months before the submission of the request, a member with an unsatisfactory mark in Conduct. For members who have no evaluations during the 12 months preceding the request, use marks for the preceding 24 months before submitting the request.
- G. Service cancelling TEMPSEP option.
1. Commander (CG PSC-OPM/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/EPM-1) must:
 - a. require the member to stay on active duty for situations such as pending investigation, performance probation, NJP, courts-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/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.

H. 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.
 - a. Commander (CG PSC-OPM/EPM-1) must approve all requests to separate without TEMPSEP.
 - b. Members desiring to cancel their TEMPSEP separation and remain on active duty must follow submission requirements set by Commander (CG PSC).
 - (1) 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.
 - (2) Commander (CG PSC-OPM/EPM-1) must approve or reject the cancellation request based on needs and impact of the Service.
 - (3) Members who voluntarily cancel their approved request for TEMPSEP must not be eligible for TEMPSEP for two years from the date of the cancellation request.
2. Commander (CG PSC-OPM/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 explicitly waived.
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.
3. These members are exempt from the following ineligibility requirements.
 - a. The requirement for being tour complete specified in 3.D.3.d. of this Manual.
 - (1) For CONUS units, members applying for temporary separation for CNC must have completed at least one year at their current duty station prior to separation.
 - (2) For OCONUS units, members applying for temporary separation for CNC must have completed at least two years at their current duty station prior to separation. If a member has transferred to a new unit within the same geographic OCONUS region, all time served within that region will be applied toward the 2-year requirement, but they must complete at least one year at their current unit.
 - b. Enlisted members must have at least four years of continuous active duty instead of at least six years of active duty per Article 3.F.1 of this Manual.

C. Surrogacy. This section applies to all types of surrogacy.

1. These members must meet the following additional criteria:
 - a. Members must not receive medical treatment to induce surrogacy approval prior to receiving approval for TEMPSEP.
 - b. Any medical treatment relating to surrogacy must not be borne by the Coast Guard.
 - c. Members must separate within 30 days of medical confirmation of pregnancy.

- d. Members must remain in the Inactive Status List (ISL) until the surrogacy is completed.
2. These members are exempt from the following ineligibility requirements.
 - a. The requirement for being tour complete specified in 3.D.3.d. of this Manual.
 - (1) For CONUS units, members applying for temporary separation for surrogacy must have completed at least one year at their current duty station prior to separation.
 - (2) For OCONUS units, members applying for temporary separation for surrogacy must have completed at least two years at their current duty station prior to separation. If a member has transferred to a new unit within the same geographic OCONUS region, all time served within that region will be applied toward the 2-year requirement, but they must complete at least one year at their current unit.
 - b. Enlisted members must have at least four years of continuous active duty instead of at least six years of active duty per Article 3.F.1 of this Manual.
- D. Unrestricted reports of sexual assault. Requests under this section must not be based on needs of the Service, and Commander (CG PSC-OPM/EPM-1), must endeavor to grant these requests as much as 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-OPM/EPM-1) (with consultation from LSC-PSC) determine that 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 TEMPSEPEd already in their career, as specified in Article 3.D.3.a. of this Manual.
 - b. Commander (CG PSC-OPM/EPM-1), may waive obligated service in Article 3.D.3.b. of this Manual. Waiving obligated service must not waive resulting recoupment action for any debt, including graduate school tuition and Selective Reenlistment Bonus.
 - c. The requirement for a member to be tour complete at the time of separation specified in Article 3.D.3.d. of this Manual.
 - d. Commander (CG PSC-OPM/EPM-1), may waive ineligibility requirements regarding disciplinary action or pending disciplinary action criteria specified in Articles 3.D.3.f. and 3.D.3.g. of this Manual.
 - e. The continuous active duty requirement in Articles 3.E.1 or 3.F.1, as appropriate, in this Manual.

Chapter 5 **Approved Separations**

A. Overview. This Chapter covers policies and standards for approved separations, including cancelling separations by the member or the Coast Guard.

B. All members who separate.

1. The minimum amount of time for a TEMPSEP is six months. Requests for a period of less than 6 months shall 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 two years, including processing time to return to active duty. More information on returning to active duty is found in Chapters 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), Joint Travel Regulations.
5. Members must use, sell, or forfeit all earned leave prior to separation in accordance with Reference (a), Military Separations, COMDTINST M1000.4 (series).
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 Certificate Of Release Or Discharge From Active Duty, DD Form 214, COMDTINST M1900.4 (series)
8. The Separation Program Designator (SPD) must be FGQ for officers and MGQ for enlisted and the 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. See Reference (g), Military Bonus Programs, COMDTINST M7220.2 (series).

C. Officers.

1. RPAs must have their permanent RPA designation removed. Former RPAs who wish to return to active duty from TEMPSEP must follow Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
2. Officers separating under TEMPSEP must receive regular OERs prior to separation.

D. Enlisted.

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

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2. Any unearned Selective Reenlistment Bonus (SRB) 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. See Reference (g), Military Bonus Programs, COMDTINST M7220.2 (series).

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 members who TEMPSEP must affiliate with the Coast Guard Reserve.
 2. Commander (CG PSC) must assign members at the needs of the Service.
 3. Assignment and subsequent service to any of the following sub-categories of the Reserve is acceptable:
 - a. Selected Reserve (SELRES),
 - b. Individual Ready Reserve (IRR),
 - c. Active Status List (ASL), or
 - d. 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, including involuntary recall, drilling requirements, etc. in accordance with Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series).
 6. Members must receive all entitlements in accordance with Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series) 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. Separating from the Coast Guard Reserve must void the TEMPSEP agreement.
 9. Members must have their TEMPSEP agreement cancelled if separated involuntarily or if there is documentation of misconduct while affiliated in the Reserve.
 10. Members must have their TEMPSEP agreement cancelled if performing voluntary EAD (including becoming a provisional RPA). These members may not return to active duty via TEMPSEP.

C. Officers.

1. Regular officers must follow guidance for the Regular to Reserve Board in Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
2. If required to be a candidate before the Regular to Reserve Board, the Board must not recommend to the Secretary concerned a change to the :
 - a. pay-grade of any officer approved for TEMPSEP, or
 - b. precedence of any officer approved for TEMPSEP, (14 USC § 744).
3. Officers who were selected for promotion on the ADPL but separated prior to promotion must be promoted on the IDPL in accordance with Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series) and Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series) .
4. RPAs must:
 - a. give up their permanent designation,
 - b. be released from active duty (RELAD), and
 - c. be assigned to the ISL for the entirety of the TEMPSEP.
5. An RPA who requests transfer from the ISL to the SELRES, IRR, or ASL shall void the TEMPSEP agreement.
6. 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 rate, in accordance with Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).

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/EPM-1), must assist Reserve members as necessary in completing the processing file to return to active duty upon termination of TEMPSEP.
3. Additional vetting may be imposed to member affiliated with the IRR, ASL, or ISL prior to allowing the member to return from TEMPSEP.
 - a. Commander (CG PSC) must determine which members need additional vetting.
 - b. Members must be required to prove they meet medical retention standards in accordance with Coast Guard Medical Manual, COMDTINST M6000.1 (series).
 - c. Members may be required to prove they meet character standards in accordance with Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).
 - d. Members traveling to meet these requirements must receive travel and pay entitlement in accordance with Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series) as appropriate.

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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. Member returning to active duty are entitled to PCS costs to their new duty station in accordance with Reference (f), Joint Travel Regulations.
2. Members must be granted their previous:
 - a. pay-grade,
 - b. relative precedence or TIR toward promotion/advancement, and
 - (1) commission type (if an Regular commissioned officer),
 - (2) specialty (if a warrant officer),
 - (3) rating (if enlisted), or
 - (4) permanent RPA designation status, if formerly a permanent RPA.
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, Commanders (CG PSC-OPM/EPM-2) will assign members in accordance with Reference (e), Military Assignments and Authorized Absences, COMDTINST M1000.8 (series).

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 RPAs, 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 RPA, 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 dates 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.

c. Upon return to active duty, an officer previously selected on the Active Duty or RPA 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.

d. Not considered for promotion on the Active Duty or RPA promotion lists prior to separation from active duty.

e. These officers must have their DOR adjusted, day for day, the amount of time spent on TEMPSEP. The officer's resulting precedence must take into account this DOR adjustment.

f. DOR adjustments. Adjustments for officers covered under Article 8.C.3.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 Articles 8.C.1. or 8.C.2. of this Manual.

D. Enlisted.

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

2. Member 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 (TIR) 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 receives credit for time served in grade before the temporary separation. This credit will also apply for any necessary continuous active duty requirements for advancement in accordance with Enlisted Accessions, Evaluations, and Advancements, COMDTINST M1000.2 (series)
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), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series) or request EAD.

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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 or may not apply to other Coast Guard policies.

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 Sexual Assault Prevention And Response (SAPR) Program, COMDTINST M1754.10 (series).
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.

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