

601-25

C:2 ARMY REGULATION

AR 601-25

S/S 1 apr 76

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PERSONNEL PROCUREMENT

**DELAY IN REPORTING FOR AND EXEMPTION
FROM ACTIVE DUTY**



HEADQUARTERS, DEPARTMENT OF THE ARMY

DECEMBER 1967

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No. 6 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
Washington, DC, 27 August 1975

PERSONNEL-PROCUREMENT

DELAY IN REPORTING FOR AND EXEMPTION FROM ACTIVE DUTY

Effective 27 September 1975

This change implements the Privacy Act of 1974 (5 U.S.C. 552a) by adding Privacy Act Statements for forms prescribed in this publication that are covered under the act.

AR 601-25, 15 December 1967, is changed as follows:

- The following form(s) (col m b) will be reproduced locally on 8 x 10½ inch paper and made available on and after 27 September 1975 to the individual supplying data on form(s) in column a.

| Column a | ----- | Column b |
|--------------|-------|---------------------------------------|
| DA Form 591 | ----- | DA Form 591-R, Privacy Act Statement |
| DA Form 591a | ----- | DA Form 591a-R, Privacy Act Statement |
| DA Form 591b | ----- | DA Form 591b-R, Privacy Act Statement |
| DA Form 591c | ----- | DA Form 591c-R, Privacy Act Statement |

- File this change sheet in front of the publication for reference purposes.

The proponent agency of this publication is the Adjutant General's Office.
 (Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to AGUZ-RPCO, 9700 Page Blvd., St. Louis, MO 63132.)

By Order of the Secretary of the Army:

Official:
 VERNE L. BOWERS
 Major General, United States Army
 The Adjutant General

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 General, United States Army
 Chief of Staff

DISTRIBUTION: To be distributed in accordance with DA Form 12-9A requirements for AR, Personnel Procurement. Active Army: C (Qty rqr block no. 389), ARNG: A (Qty rqr block no. 387), USAR: A (Qty rqr block no. 387).

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DATA REQUIRED BY THE PRIVACY ACT OF 1974

(5 U.S.C. 552a)

| | |
|---|---------------------------------|
| TITLE OF FORM Application for Initial (Educational) Delay From Entry on Active Duty with Supplemental Active Duty/ *(Continued in Item 3) | PRESCRIBING DIRECTIVE AR 601-25 |
|---|---------------------------------|

1. AUTHORITY

50 USC app 456(d)(1); 10 USC 270

2. PRINCIPAL PURPOSE(S)

Used to grant initial delay from entry on active duty or active duty for training to ROTC cadets. Delays are granted in one year increments and must be renewed annually.

3. ROUTINE USES

Information is used to record periods of delay for ROTC students enrolled in graduate studies. Information is also used for planning purposes and to schedule delayed officers for initial active duty or active duty training.

The SSN is used to identify the individual.

*Title of Form - Continued
ACDUTRA and Reserve Participation Agreement

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

Completing the form is mandatory. Individuals who do not complete the form or a similar letter request are not delayed from entry on active duty or active duty training.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

(5 U.S.C. 552a)

| | |
|--|---------------------------------|
| TITLE OF FORM Supplemental Active Duty/ACDUIRA and Reserve Participation Agreement for ROTC Participants Applying *(Continued in item 3) | PRESCRIBING DIRECTIVE AR 601-25 |
|--|---------------------------------|

1. AUTHORITY

50 USC app 456 (d)(1); 10 USC 270

2. PRINCIPAL PURPOSE(S)

Used as a supplement to DA Form 591 and to show agreement to accept commission as an officer in the US Army Reserve and participate in the USAR. It is also used to establish the obligation incurred by the officer.

3. ROUTINE USES

Information is used to establish and record the obligation incurred by the officer. The SSN is used to identify the individual.

*Title of Form - Continued
for Initial (Educational) Delay from Entry on Active Duty

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

It is mandatory that individuals applying for an initial educational delay complete the DA Form 591a.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

(5 U.S.C. 552a)

| | |
|--|------------------------------------|
| TITLE OF FORM Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants *(Continued in Item 3) | PRESCRIBING DIRECTIVE AR 601-25 |
|--|------------------------------------|

1. AUTHORITY

50 USC app 456 (d)(1); 10 USC 270

2. PRINCIPAL PURPOSE(S)

Used as a supplement to DA Form 591 and to show agreement to accept commission as an officer in the US Army Reserve and participate in the USAR. It is also used to establish the obligation incurred by special medical program officers.

3. ROUTINE USES

Information is used to establish and record the obligation incurred by special medical program participants.

The SSN is used to identify the individual.

*Title of Form - Continued

Applying for Initial (Educational) Delay from Entry on Active Duty to Pursue Course of Study Leading to a Degree in Medicine, Dentistry, or Veterinary Medicine.

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

It is mandatory that special medical program participants complete DA Form 591b.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

(5 U.S.C. 552a)

| | |
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| TITLE OF FORM Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants *(Continued in item 3) | PRESCRIBING DIRECTIVE AR 601-25 |
|--|---|

1. AUTHORITY
 50 USC app 456 (d)(1); 10 USC 270

2. PRINCIPAL PURPOSE(S)
 Used as a supplement to DA Form 591 and to show agreement to accept commission as an officer in the US Army Reserve and to participate in the USAR. It is also used to establish the obligation incurred by individuals pursuing religious studies in preparation for the Army Chaplaincy.

3. ROUTINE USES
 Information is used to establish and record the obligation incurred by individuals studying for the Army Chaplaincy.
 The SSN is used to identify the individual.

*Title of Form - Continued
 Applying for Initial (Educational) Delay from Entry on Active Duty to Pursue Religious Studies in Preparation for the Ministry

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION
 It is mandatory that students preparing for the Army Chaplaincy complete DA Form 591c.

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| <p>FROM: DA STL MO //AGUZ-RPC-PR//</p> <p>TO: ALL HOLDERS OF ID OF AR 601-25</p> <p>UNCLAS</p> <p>SUBJ: Interim Change to AR 601-25</p> <p>1. This change is being distributed through publications pinpoint distribution system to all holders of AR 601-25. Pending revision and by order of the Secretary of the Army, the following is an interim change to AR 601-25, December 1967. The change authorizes major commanders to grant exceptions to the requirement to submit DA Form 591 within 120 days before graduation.</p> <p>2. Paragraph 2-13a(1) is changed by adding subparagraph (e).</p> <p>2-13a(1)(e) added. Major commanders may grant an exception to the 120 day period (d) above when late submission is not the fault of the applicant. Under these circumstances, one additional copy of DA Form 591 will be prepared and immediately submitted through the PMS to the major commander. The DA Form 591 will be marked "Advance Copy" and a remark entered in Part II (Enrollment Verification): For planning purposes only; completed DA Form 591 will be submitted O/A _____: " (Date)</p> <p style="text-align: right;">RETURN TO ARMY LIBRARY ROOM 1 A 518 PENTAGON</p> | | | | | | | | | |
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| <p><i>Rec'd 4/9 Oct 72</i></p> <p>FROM: DAAG</p> <p>TO: AIG 7401</p> <p><i>Rec'd 9/18/72</i></p> <p>UNCLAS</p> <p>AGUZ-RPC-PR</p> <p>SUBJECT: Interim Change to AR 601-25</p> <p>1. This interim change is being distributed through publications pinpoint distribution system to all holders of AR 601-25. Pending revision of AR 601-25 and by order of the Secretary of the Army, the following interim change is announced and effective immediately. The change provides a 4-year active duty commitment when delay is granted to obtain a PhD in psychology and adds podiatry as a profession authorized delay.</p> <p>2. The following paragraph is superseded.</p> <p>2-2a. Cadets who apply for delay to enroll in approved schools of medicine, osteopathy, dentistry, veterinary medicine, optometry, social work, podiatry, or sanitary engineering (para 1-11h(3)) to pursue a course of study leading to a degree in medicine, osteopathy, dentistry, veterinary medicine, optometry, social work, podiatry, or sanitary engineering, may be granted initial Category A delay under this regulation. Officers granted delay will be transferred as</p> | | | | | | | | | | |
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BOOK NO. MESSAGE HANDLING INSTRUCTIONS

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indicated in paragraph 2-5b and are automatically considered as participants in the Medical Department Early Commissioning Program (AR 601-140). Renewal or granting of delay for other reasons will be accomplished as set forth in AR 601-26. Officers delayed to study psychology who desire to participate in the Medical Department Early Commissioning Program must apply for participation by writing to the CG RCPAC. Individuals approved for delay to obtain a PhD in psychology will incur a 4-year active duty obligation.

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CHANGE
No. 5

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 14 January 1971

**PERSONNEL PROCUREMENT
DELAY IN REPORTING FOR AND EXEMPTION FROM ACTIVE DUTY**

Effective 1 January 1971 in accordance with DA message RCPL 071400Z Dec 70

This change removes the restriction which precluded delay for attendance at foreign medical schools and authorizes scholarship cadets to be delayed the same as nonscholarship cadets, except those applying for delay to pursue Religion Theology.

AR 601-25, 15 December 1967, is changed as follows:

1. Paragraphs which have been changed are indicated by a star.
2. Remove old pages and insert revised pages as indicated below.

| Remove pages— | Insert pages— |
|----------------------------|----------------------|
| ✓ 1-3 and 1-4..... | 1-3 and 1-4. |
| ✓ 2-1 and 2-2..... | 2-1 and 2-2. |
| ✓ 3-3, 3-4, and 3-4.1..... | 3-3, 3-4, and 3-4.1. |

3. File this change sheet in front of the publication for reference purposes.

The proponent agency of this regulation is the Office of Personnel Operations. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications) to Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPL, Fort Benjamin Harrison, IN 46249.

By Order of the Secretary of the Army:

W. C. WESTMORELAND,
*General, United States Army,
Chief of Staff.*

Official:

KENNETH G. WICKHAM,
*Major General, United States Army,
The Adjutant General.*

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- Active Army: C (qty rqr block No. 226).
- ARNG: A (qty rqr block No. 224).
- USAR: A (qty rqr block No. 224).

*This change supersedes DA message RCPL 071400Z Dec 70 (U), subject: Interim Change to AR 601-25 (Change 5).

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CHANGE }
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HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 11 December 1969

PERSONNEL PROCUREMENT

DELAY IN REPORTING FOR AND EXEMPTION FROM
ACTIVE DUTY

Effective 1 April 1970

This change restricts initial application for delay for initial active duty to the period required to obtain a masters degree, normally 2 years, or the equivalent, such as LLB. It also provides for delay to obtain a PhD to be considered on an individual basis and to be approved only in those major subject disciplines for which the Army has a specified requirement for a junior officer with a doctorate degree.

AR 601-25, 15 December 1967, is changed as follows:

- 1. Changed material is indicated by a star.
- 2. Remove pages 2-3 and 2-4 and insert revised pages 2-3, 2-4.
- 3. File this change sheet in front of the publication for reference purposes.

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By Order of the Secretary of the Army:

Official:

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Major General, United States Army,
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*This change supersedes DA message RCPL 031200Z Nov 69 (U), subject: Interim Change to AR 601-25 (Change 4).

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CHANGE }
 No. 3 }

HEADQUARTERS
 DEPARTMENT OF THE ARMY
 WASHINGTON, D.C., 17 April 1969

PERSONNEL PROCUREMENT

DELAY IN REPORTING FOR AND EXEMPTION FROM
 ACTIVE DUTY

Effective 4 June 1969

AR 601-25, 15 December 1967, is changed as follows:

1. This change provides guidance for appeal actions and procedures for obtaining the advisory opinions from the Selective Service System in cases involving medical specialist registrants.
2. New or changed material is indicated by a star.
- ✓ 3. Remove old pages 3-3 and 3-4 and insert new pages 3-3 through 3-4.1.
4. File this change in front of the publication for reference purposes.

The proponent agency of this regulation is the Office of Personnel Operations. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications) to Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPL, Fort Benjamin Harrison, Ind. 46249.

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USAR: A (quan rqr block No. 440).

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HEADQUARTERS
 DEPARTMENT OF THE ARMY
 WASHINGTON, D.C., 4 December 1968

PERSONNEL PROCUREMENT

**DELAY IN REPORTING FOR AND EXEMPTION FROM
 ACTIVE DUTY**

AR 601-25, 15 December 1967, is changed as follows:

1. Paragraphs that have been changed or added are indicated by a star.
2. Remove pages 2-5 through 2-8 and insert revised pages 2-5 through 2-8.
3. File this change sheet in front of the publication for reference purposes.

The proponent agency of this regulation is the Office of Personnel Operations. Users are invited to send comments and suggested improvements to Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPC, Fort Benjamin Harrison, Ind. 46249.

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To be distributed in accordance with DA Form 12-9 requirements for AR,

Personnel Procurement:

Active Army—"C" (qty rqr block No. 442).

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USAR—"A" (qty rqr block No. 440).

* This change supersedes RCPC message 114, 31 October 1967.

CHANGE }
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HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, D.C., 5 April 1968

PERSONNEL PROCUREMENT

DELAY IN REPORTING FOR AND EXEMPTION FROM ACTIVE DUTY

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| 1-3 and 1-4..... | 1-3 and 1-4. |
| 3-2 through 3-7..... | 3-2 through 3-2* |

3. This transmittal sheet should be filed in the front of the publication for reference purposes.

The proponent agency of this regulation is the Office of Personnel Operations. Users are invited to send comments and suggested improvements to Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPL, Ft. Benjamin Harrison, Indiana 46249.

By Order of the Secretary of the Army:

Official:

KENNETH G. WICKHAM,
Major General, United States Army,
The Adjutant General.

HAROLD K. JOHNSON,
General, United States Army,
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Distribution:

To be distributed in accordance with DA Form 12-9 requirements for Reserve Components, General:
Active Army—C; NG and USAR—A.

PERSONNEL PROCUREMENT

DELAY IN REPORTING FOR AND EXEMPTION FROM ACTIVE DUTY

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This regulation supersedes AR 601-25, 5 August 1966 including C 1, 26 July 1967; and message DA OPO RCPC 56, 13 September 1967.

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CHAPTER 1

GENERAL PROVISIONS

Section I. GENERAL

1-1. Purpose. This regulation prescribes policies, criteria, and procedures governing the delay in reporting for active duty, or exemption from active duty, for members of the Army National Guard of the United States (ARNGUS) and of the Army Reserve (USAR).

1-2. Scope. *a.* This regulation applies to individual members of the Ready Reserve scheduled for, or ordered to, active duty, with their consent, and to members of units and individual members of the Ready Reserve when such units or members are involuntarily ordered to active duty.

b. In time of war or national emergency declared by Congress, this regulation also applies to those members of the Standby Reserve who have been determined to be available for involuntary order to active duty by Selective Service authorities.

1-3. Purpose of the Ready Reserve. The purpose of the Ready Reserve is to provide trained units and qualified individuals available for active duty in time of war or national emergency; and at such other times when the national security requires an expansion of the Active Army and such expansion is authorized by law. The Ready Reserve, consisting of units and members of the Army National Guard of the United States and the Army Reserve, is liable for involuntary order to active duty under these circumstances.

1-4. Basic policy for involuntary order to active duty of units and members of the Ready Reserve. *a.* When an expansion of the Active Army is needed for national security and when

authorized by law, it is the policy of the Army to order involuntarily to active duty those trained units and qualified members of the Ready Reserve needed to meet the military manpower requirements of the Active Army.

b. All Ready reservists, ARNGUS and USAR, are considered to be available for involuntary active duty when the need for their services exist. However, certain Army Medical Service personnel will be available for active duty, involuntarily, only under conditions outlined in section II, this chapter.

1-5. Screening the Ready Reserve. The Ready Reserve is required by law to be screened on a continuing basis. Screening will be accomplished in accordance with AR 135-133 and NGR 26.

1-6. Availability of Standby reservists for involuntary active duty. In time of war or national emergency declared by Congress, or when otherwise authorized by law, Standby reservists who have been found available by the Director of Selective Service may be involuntarily ordered to active duty, provided it has been determined that there are not enough qualified members of the required category in the Ready Reserve. The involuntary order to active duty of such members may be accomplished only when specifically authorized by Headquarters, Department of the Army.

1-7. Policies governing delay or exemption. Sound reasons exist for the establishment of policies governing the delays of certain members from voluntary active duty; and for a temporary delay in reporting for, or total ex-

emption from the requirement to perform, involuntary active duty for unforeseen circumstances that may arise and result in extreme undue hardship, or for other cogent reasons. The policies are contained in the following chapters of this regulation:

a. Chapter 2 governs the delays of officers, commissioned through the ROTC program, who are required to perform the initial period of voluntary active duty, or active duty for training, in accordance with the agreement executed by them.

b. Chapter 3 governs the delay or exemption of individual members or members of units of the Ready Reserve alerted for, or involuntarily ordered to, active duty. *These provisions of chapter 3 become effective when units and individual members of the Ready Reserve are being involuntarily ordered to active duty pursuant to law.*

c. Chapter 4 governs the delay or exemption of members of the Standby Reserve involuntarily ordered to active duty in time of war or national emergency declared by Congress.

Section II. POLICIES GOVERNING AVAILABILITY FOR INVOLUNTARY ACTIVE DUTY OF CERTAIN ARMY MEDICAL SERVICE PERSONNEL

1-8. **Purpose and scope.** a. This section prescribes policies governing involuntary order to active duty of certain Army Medical Service officers.

b. The provisions of this section apply to those AMEDS officers who are students of medicine, dentistry, and veterinary medicine; interns; and residents.

1-9. **AMEDS officers assigned to TOE and TD units.** AMEDS officers who elect assignment to TOE and TD units will be ordered to active duty as set forth in AR 135-300.

1-10. **AMEDS officers not in a drill pay status.** a. AMEDS officers specified below are not available for involuntary active duty except when specifically authorized by Headquarters, Department of the Army, by separate instructions.

- (1) Students of medicine, dentistry, and veterinary medicine who are participating in the Medical Service Early

Commissioning Program. See AR 601-140.

- (2) Medical Corps officers participating in professional training as residents, including those officers participating in the Armed Forces Reserve Medical Officer Commissioning and Residency Consideration Program. See AR 135-50.
- (3) Dental Corps officers participating in professional training under the Armed Forces Reserve Dental Officer Commissioning Program. See AR 135-50.
- (4) Veterinary Corps officers participating in professional training under the Armed Forces Veterinary Officer Post Graduate Training Program. See AR 135-50.

b. Medical Corps officers who are undergoing internship, regardless of source of appointment, are not available for involuntary order to active duty until they have completed a 1-year internship or an accelerated internship, as appropriate.

Section III. DEFINITIONS AND CRITERIA FOR HARDSHIP CONDITIONS

1-11. **Definitions.** As used in this regulation, the following definitions will apply:

a. *Academic year.* The period covering the annual session, excluding the summer session of an educational institution, usually divided

into 2 consecutive semesters or 3 consecutive quarters.

b. *Alert.* Any form of communication used by Headquarters, Department of the Army, or other competent authority to first notify AR-

NGUS or USAR unit commanders or individual members of the USAF that orders to active duty are pending for the unit or the member. Such communication normally will indicate the effective date of the orders; the mobilization station to which the unit or individual member will be ordered for final type processing; and such other basic data as deemed necessary by the issuing authority.

c. Appeal. The request made by a member for reconsideration of a decision denying a request for delay or exemption from involuntary order to active duty.

d. Delay. The postponement of either the date the member is available to report for his active duty tour or the reporting date specified in his orders to active duty.

e. Exemption. Total relief from the requirement to report for his active duty tour or the reporting date specified in his orders to active duty.

f. Full-time course of instruction. A full-time schedule prescribed for a resident student consisting of not less than 9 semester hours of graduate studies, exclusive of enrollment in night school or extension courses; or, in accordance with the regulations of the institution of higher education, appropriate certification of full-time course of instruction, whichever of the above involves the lesser academic requirement.

g. Graduate studies. Studies on a graduate level, being pursued by a student subsequent to his attainment of a baccalaureate or first degree.

h. Institution of higher education. An institution of higher education is defined as follows:

(1) An educational institution, located within CONUS, listed in Part 3, The Education Directory, Higher Education, published annually by the Office of Education, Department of Health, Education, and Welfare.

(2) A recognized degree granting educational institution, located outside CONUS, listed in one of the following publications (these publications may be purchased from the American Council on Education, Publications Division, 1785 Massachusetts Avenue NW., Washington, DC 20036):

(a) International Handbook of Universities, current edition, published by the International Association of Universities in Paris.

(b) Commonwealth Universities Yearbook, published annually by the Association of

Universities of the British Commonwealth; London.

(3) As exceptions to (1) and (2) above:

★(a) Rescinded.

(b) An approved school of osteopathy is a school of osteopathy located in CONUS which is listed as approved by the American Osteopathic Association.

(c) An approved dental school is a school of dentistry located in CONUS, Hawaii, Alaska, Puerto Rico, or Canada listed as approved by the American Dental Association.

(d) An approved veterinary school is a school of veterinary medicine located on CONUS, Hawaii, Alaska, or Canada accredited by the American Veterinary Medical Association.

(e) For the purpose of religious training, a recognized theological or divinity school is one recognized by the particular religious sect as being such a school. Such recognition does not in itself qualify a divinity school student for appointment in the Chaplains' branch.

i. Member. A commissioned officer, warrant officer, or enlisted person in the Ready Reserve either as a unit member or as an individual member.

j. ROTC officer. An officer commissioned through the ROTC program who has not performed his initial period of active duty or active duty for training in accordance with the agreement executed by him while enrolled in the ROTC program.

k. Seasonal employment. Employment which is not continuously active or not at peak operation during the whole of a calendar year and which will not be available to an ROTC officer if he is scheduled to enter on active duty during the 6-month period immediately following graduation and appointment or termination date of current delay status, whichever date is the later.

l. Initial employment. Employment that is offered or accepted by an individual immediately subsequent to attainment of an educational degree and the employer has certified that the individual must accept the position and undergo training to insure reemployment upon completion of active duty. Such employment would not be available to the individual if required to enter upon active duty during the 6-month period immediately following graduation and appointment or termina-

tion date of current delay status, whichever date is the later.

m. Extreme personal hardship. Conditions under which the reservist's entry on active duty would have a substantial adverse effect upon member(s) of the reservist's family.

n. Members of immediate family. Normally, members of the immediate family will include the following:

(1) Spouse, divorced spouse, legitimate or illegitimate child, legally adopted child, stepchild, foster child, parent, grandparent, brother, or sister; or

(2) A person under 18 years of age, or a person of any age who is physically or mentally handicapped, whose support the reservist has assumed in good faith.

1-12. Criteria for hardship conditions. a. Extreme personal hardship.

(1) *Illness of a member of immediate family.* When, in the opinion of the attending physician, the illness of the member is such that—

(a) Fatality appears to be imminent; or,

(b) Presence of the reservist is an important factor in the recovery of the patient and his

immediate departure would have a serious effect upon the patient.

(2) *Financial or domestic hardship.* Financial or domestic hardship conditions do not exist solely because of altered income, or because the reservist is separated from his family, or because the family must suffer the inconveniences normally incident to military service. In general, this requirement will be met only when both of the following conditions are determined to exist:

(a) Members of the immediate family are dependent upon the reservist for support; and

(b) Presence of the reservist is the only readily available means of eliminating or materially alleviating the hardship condition.

b. Extreme community hardship. In general, this requirement will be met only when all of the following conditions are determined to exist:

(1) The service performed by the reservist is essential to the maintenance of health, safety, or welfare of his community.

(2) The service cannot be performed by other persons residing in the area concerned.

(3) The reservist cannot be replaced in the community by another person who can perform such services.

Section IV. POLICIES GOVERNING DELAY OF STUDENTS PARTICIPATING IN OFFICER TRAINING PROGRAMS

1-13. Purpose and scope. This section prescribes policies governing delay in call to active duty of students who are required to enlist in the United States Army Reserve as a prerequisite to becoming applicants for appointment to the United States Military Academy under the Army Reserve component quota. See AR 350-55.

1-14. Policy. Students attending secondary schools (i.e., high school or military academy preparatory school) and who are enlisted in the USAR for 2 years active duty pursuant to official notification from The Adjutant General, Department of the Army, that they were academically and medically qualified for nomination to the United States Military Academy

under a Reserve component quota, will be delayed from active duty until such time as they cease to pursue such course satisfactory, graduate, attain age 20, or for a period of 1 year, whichever occurs first.

1-15. Exceptions to policy. Exceptions to the 1-year period of delay will be granted only under exceptional circumstances and may be granted only upon the specific approval of Headquarters, Department of the Army. Requests for exceptions will include full justification and will be forwarded through command channels to the Commanding Officer, United States Army Reserve Components Personnel Center, ATTN: RCPA-E, Fort Benjamin Harrison, Indianapolis, Ind. 46249.

CHAPTER 2

OFFICERS COMMISSIONED THROUGH THE ROTC
PROGRAM—DELAY FROM ENTRY ON ACTIVE DUTY

Section I. GENERAL

2-1. General. *a.* The primary purpose of maintaining the ROTC program is to procure commissioned officers to meet the needs of the Active Army and to meet mobilization requirements. Officers commissioned through the ROTC program are required to perform an initial period of active duty, or if not needed on active duty, to perform 3 to 6 months of initial active duty for training (ADT) in accordance with the terms of their deferment or contractual agreement.

b. This chapter outlines the conditions whereby officers commissioned or to be commissioned through the ROTC program may be eligible to apply for one of the following categories of delay from entry on their initial tour of active duty or ADT.

(1) Category A—Post Graduate Study.

(2) Category B—Professional licensing for specialties allied to the field of medicine.

(3) Category C—Personal or community hardship.

(4) Category D—Initial/seasonal employment and licensing or certification to practice in professional field in other than field of medicine.

c. The Department of the Army may suspend the authority to grant delays or may terminate previously granted delays because of overriding military requirements.

d. The determination as to whether an officer will serve on active duty or active duty for training upon termination of delay rests with Department of the Army.

e. Officers authorized delay to pursue subjects listed in paragraph 2-11(7), (8), or (9) who are detailed to branches indicated therein and who leave school or fail to obtain the degree for which delay was granted will be ordered to active duty or ADT, as appropriate, in the branch in which

they were initially commissioned unless they are transferred to a different branch of service.

★2-2. Scope. The provisions of this chapter apply to all officers appointed from the ROTC Program to include scholarship and non-scholarship cadets, except as indicated in *b* below.

a. Cadets who apply for delay to enroll in approved medical, dental or veterinary schools, or school of osteopathy (para 1-11*h*(3)) to pursue a course of study leading to a degree in medicine, dentistry, veterinary medicine, or osteopathy may be granted initial Category A delay under this regulation. Officers granted delay will be transferred as indicated in paragraph 2-5*b*. These officers will be considered as participants in the Medical Service Early Commissioning Program. Renewal or granting of delay for other reasons will be accomplished as set forth in AR 601-26.

b. Cadets, except scholarship cadets, who apply for Category A delay to enroll in an accredited institution (para 1-11*h*(3)(*e*)) to pursue Religion Theology, subject code 114, AR 680-29 may be granted initial delay under this regulation. Officers granted delay will be transferred as indicated in paragraph 2-5*b*. Renewal or granting of delay for other reasons will be accomplished as set forth in this chapter. Scholarship cadets are not authorized delay to pursue Religion Theology.

2-3. Responsibilities. The following commanders are responsible for the administrative actions prescribed in this chapter:

a. Area commanders described in AR 140-1 who exercise appointment authority under AR 145-1.

b. The Commanding Officer, U.S. Army Reserve Components Personnel Center, Fort Benjamin Harrison, Indianapolis, IN 46249.

Section II. DELAY POLICIES, CATEGORIES, ELIGIBILITY CRITERIA AND JURISDICTIONAL CONTROL

2-4. General. *a.* This section explains delay policies, defines delay categories, establishes eligibility criteria for delay, prescribes periods of delay and the responsibilities for jurisdictional control over officers in delay status.

b. Delay policies.

(1) An individual may be eligible for delay in reporting for initial period of active duty or ADT if he has been accepted or has reasonable evidence of acceptance for enrollment by an approved and recognized institution of higher education for graduate or professional studies, would

suffer undue hardship, or for other cogent reasons authorized in this chapter.

(2) Approval of delay will be based upon the applicant's meeting the eligibility requirements or criteria prescribed for the appropriate delay category and submission of request within the established time frame.

(3) Requests for Category A, B, or D delay submitted after the time frames set forth in this chapter will not be approved, except where the individual

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was unable to submit his request at the proper time for reasons beyond his control. In this event, the request with complete explanation may be forwarded to CO, USARCPC for final determination.

(4) Officers authorized Category A or B delay will be assigned to USAR Control Group (Officer Active Duty Obligor) until they enter on initial tour of active duty or ACDUTRA, unless sooner separated or reassigned by proper authority.

(5) Requests for initial Category A delay must be submitted on DA Form 591 Application for Initial (Educational) Delay from Entry on Active Duty/ACDUTRA with Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement. DA Form 591 must be accompanied by a properly executed supplemental service agreement as follows:

(a) DA Form 591A (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants applying for Initial (Educational) Delay from Entry on Active Duty (AR 601-25)). This agreement will be completed by all officers appointed or scheduled to be appointed from the ROTC Program who wish to apply for Category A delay, except as indicated in (b) and (c) below. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591A.

(b) DA Form 591B (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants Applying for Initial (Educational) Delay from Entry on Active Duty to pursue Course of Study leading to a degree in Medicine, Dentistry, or Veterinary Medicine (AR 601-25)). This agreement will be completed by all officers appointed or scheduled to be appointed from the ROTC Program who wish to apply for Category A delay to obtain a degree in medicine, dentistry, or veterinary medicine. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591B.

(c) DA Form 591C (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants Applying for Initial (Educational) Delay from Entry on Active Duty to Pursue Religious Studies in Preparation for the Ministry (AR 601-25)). This agreement will be completed by all officers appointed or sched-

uled to be appointed from the ROTC Program who wish to apply for Category A delay to obtain a degree in the religious field preparatory to entering the ministry. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591C.

(6) Delay from entry on initial tour of active duty based upon financial or domestic hardship (para 1-12a(2)) normally will not be approved. Requests for Category C delay based upon these reasons may be approved only as exception to policy by Headquarters, Department of the Army.

(7) Officers who obtain an additional degree as a result of post graduate studies which is not consistent with the branch of service in which they initially were appointed may be reappointed or transferred to a different and more appropriate branch of service prior to entry on active duty.

2-5. Category A. ★a. Definition. Category A is an officer who is pursuing graduate or professional studies for the purpose of obtaining an additional academic degree. Initial Category A may be requested to pursue a course of study leading to a degree in medicine, dentistry, veterinary medicine, osteopathy, or optometry (AR 601-26); to pursue a course of study listed in the Medical Science grouping in AR 680-29 that does not lead to a degree in medicine, dentistry, veterinary medicine, osteopathy, or optometry; to pursue religious studies in preparation for the ministry; to pursue legal studies leading to a first degree in law (LLB or JD); or to pursue a masters degree in any other subject discipline. Officers who desire to apply for renewal of Category A delay in order to pursue a doctorate degree may submit an application not earlier than 6 or later than 3 months prior to completion of their original degree objective. Renewals of delays to continue studies leading to a doctorate will be limited in numbers and fields commensurate with the needs of the Army for junior officers with doctorate degrees.

b. Jurisdictional control. Category A officers will be transferred on Special orders issued by the appropriate area commander to USAR Control Group (Officer Active Duty Obligor), USA RCPC, Fort Benjamin Harrison, Indianapolis, IN 46249. EDCSA will be established no later than the 20th of the month in which the delay becomes effective.

c. Period of delay. Applicants may be author-

ized delay for the periods prescribed below, provided they meet the eligibility requirements in *e* below.

(1) *Initial delay.* Period of initial delay may be for the minimum period required, but in no case will the delay exceed 1 year.

(2) *Annual renewal of delay.* Renewal of delay may be granted in increments of 1 year from the date the initial delay terminates, subject to the restrictions in (3) below.

★(3) Maximum period of delay.

(a) Officers granted a Category A delay to pursue a course of study leading to a degree in medicine, dentistry, veterinary medicine, osteopathy, or optometry, will be governed by the provisions of AR 601-26.

(b) Officers granted a Category A delay to pursue a course of study listed in the Medical Science grouping in AR 680-29 that does not lead to a degree in medicine, dentistry, veterinary medicine, osteopathy, or optometry, and those granted delay to pursue legal studies may be delayed for that period indicated in the initial application as the total period needed to complete the studies to obtain the degree objective indicated by the applicant (section II, DA Form 591), but not to exceed a total of 36 months.

(c) Officers granted a Category A delay to pursue religious studies in preparation for the ministry may be delayed for the period required to complete the religious studies.

(d) Officers granted a Category A delay to pursue a masters degree in any other subject discipline may be delayed for that period indicated in the initial application as the total period needed to complete the studies to obtain the degree objective indicated by the applicant (section II, DA Form 591), but not to exceed a total of 24 months.

★*d.* Exceptions to maximum period of delay. Exceptions to the maximum period of delay authorized in *c*(3) above may be granted only with the approval of Headquarters, Department of the Army. Requests for such exceptions must include full justification for further delay. Such justification may include, as appropriate, any communications from appropriate officials of graduate school or applicant concerning his degree program and progress, or forecasting remaining period required to complete research or presentation of thesis or dissertation. Officers who experience abnormal dif-

ficulty in completing classroom work, experiments, or research because of personal hardship, illness, experiment failure, or for similar reasons, must include substantiating documents from institution officials, family doctor, or minister as appropriate to the circumstances. Request for exceptions which will exceed a total of 12 months will include a résumé of school requirements for the degree for which the individual is enrolled. If the estimated date of completion of studies changes from previously submitted requests for delay, justification for change must be furnished. Officers who desire to apply for renewal of Category A delay in order to pursue a doctorate degree may submit an application not earlier than 6 or later than 3 months prior to completion of their original degree objective. Approval of renewal of delay for his purpose will be based on the overall needs of the service for junior officers with a doctorate degree in the applicable subject discipline.

e. Eligibility requirements. An applicant for Category A delay must meet the following requirements:

(1) Must execute the appropriate Supplemental Active Duty/ACDUTRA Ready Reserve Participation Agreement described in paragraph 2-4b(5).

(2) Applicants for initial delay must—

(a) Be enrolled, or tentatively accepted for enrollment, as a degree student in the first regular semester or quarter commencing after the date of commissioning as an officer, or the next fall semester or quarter when the course of study is to begin only in the fall semester or quarter (e.g., medical or law school, and the applicant is a midyear appointee); and,

(b) Be enrolled to pursue an uninterrupted full-time course of instruction in graduate or professional studies in an approved and recognized institution of higher education for the purpose of obtaining an additional academic degree; and,

(c) Submit application within the time frames set forth in paragraph 2-13a(1)(d).

(3) Applicants for renewal of delay must—

(a) Meet the requirements outlined in (2)(b) above; and,

(b) Be satisfactorily continuing the studies at the same institution, with the same academic major professional field for which initially delayed; and,

(c) Submit application within the time frames set forth in paragraph 2-4b(5).

2-6. Category B. *a. Definition.* Category B is an officer who has obtained an academic degree in pharmacy or a specialty allied to medicine and must obtain professional license to perform in his branch and specialty.

b. Jurisdictional control. Category B officers will be transferred to the jurisdictional control of the CO, USARPCPC in the same manner prescribed in paragraph 2-5b.

c. Period of delay. Delay will not exceed 1 year. Renewal of Category B delay is not authorized.

2-7. Category C. *a. Definition.* Category C is an officer who would suffer extreme personal or community hardship (para 2-4b) as a result of entry on active duty at the normally scheduled time.

b. Jurisdictional control. Category C officers will remain under the jurisdictional control of the commander approving the delay until they enter on initial tour of active duty or are screened to the Standby Reserve, unless sooner separated.

c. Period of delay.

(1) Delay is authorized for a period not to exceed 6 months when the hardship is of a temporary nature and can be alleviated within the period prescribed. Requests for renewal of delay not to exceed 6 additional months may be approved as exception to policy only at Headquarters, Department of the Army.

(2) Delay is not authorized when the hardship condition appears to be of long duration (normally in excess of 1 year) and cannot be alleviated by a temporary delay. Under these circumstances, action will be taken to screen the officer from the Ready to the Standby Reserve in accordance with AR 135-133.

2-8. Category D. *a. Definition.* Category D is an officer who—

(1) Desires to avail himself of the opportunity for seasonal or initial employment, or,

(2) Has obtained a degree in a professional field, other than in the fields of medicine, dentistry, or veterinary medicine, and who is required to undergo State examination for licensing or certification in his professional field.

★(3) Provides documentary evidence indicating that he is an official candidate of a recognized party in a primary election preliminary to running in a general election for the Congress of the United States. Delay to participate in elections for offices other than the Congress of the United States is not authorized.

b. Jurisdictional control. Category D officers will remain under the jurisdictional control of the commander approving the delay until they enter on active duty or are sooner separated.

★*c. Period of delay.* Category D delay may be granted in the case of a(1) and (2) above not to exceed 6 months from date of graduation and appointment or upon termination of current delay, whichever is the later date. Category D delay may be granted for the reason set forth in a(3) above for the period of time necessary to determine the outcome of the primary election and if appropriate may be extended to determine the outcome of the general election. Category D delay *will not* be authorized to permit an officer to participate in preliminary political activities for nomination as an official party candidate. Renewal of Category D delay is not authorized. Officers granted Category D delay who are elected to the Congress of the United States will be immediately transferred to USAR Control Group (Reinforcement), USAAC, St. Louis, Mo. 63132.

2-9. Category X. Category X is an officer whose Category A, B, C, or D delay has terminated but the officer will not enter on active duty with EDCSA during the same month in which his delay terminated. This is an administrative delay category to be used solely for accounting purposes.

Section III. PROCEDURES

2-10. General. *a.* Officers commissioned through the ROTC program each year normally are scheduled for their initial period of active duty or ACDUTRA during the fiscal year following their appointment. A target date of 1 March is established as the date for the issuance of letters of

notification to those officers scheduled for active duty upon their graduation and commissioning in May or June of that year. Those officers not selected for active duty will be scheduled for ACDUTRA within the period outlined above.

b. To assist in planning active duty schedules

and to preclude the unnecessary issuance of letters of active duty notifications, cadets planning to request delay from entry on active duty must indicate their intent as follows:

(1) Cadets who wish to apply for Category A delay will indicate their intent in Item 17, DA Form 1809 (ROTC Graduate Branch Selection Record) prepared in accordance with AR 145-133. The cadet's graduate degree objective and major field of study will be entered in Item 18 "Remarks" on the DA Form 1809.

(2) Cadets wishing to apply for Category B, C, or D delay who do not have sufficient basis at the time of submission of DA Form 1809 to submit a formal request for such delay as set forth in paragraph 2-13a(2) will—

(a) Submit, 180 days prior to date of graduation and commissioning, a letter indicating intent to apply for delay.

(b) Submit the letter to the appropriate area commander.

c. Information reported in items 17 and 18, DA Form 1809 and/or contained in the letter of intent to request delay is informative only and will be used at area command headquarters to assist in planning active duty schedules. Approval or disapproval of a request for delay will be based upon information contained on the DA Form 591 or formal letter request prepared in accordance with paragraph 2-13.

2-11. Responsibilities. a. The area commander exercising appointment authority over ROTC graduates under AR 145-1 is responsible for the actions prescribed below, until such time as the officer enters on his initial tour of active duty; or he is granted a Category A or B delay and he is transferred to the jurisdictional control of the CO, USARCPC; or he is screened to the Standby Reserve; or he is sooner separated.

(1) Maintaining control over the officer, his personnel records and for strength accountability.

(2) Processing all requests for initial delay and making final decisions thereon.

(3) Notifying applicants of decisions on requests for initial delay.

(4) Advising applicants whose initial delay has been approved of their responsibility to report any change which may influence the continuation of their delay to the area command headquarters or to the CO, USARCPC, as appropriate. The fol-

lowing are some of the conditions which are required to be reported:

(a) Failure to continue the education for which delay was granted.

(b) A move or transfer from the educational institution.

(c) Deviation from field of study.

(d) Change from full-time to part-time study.

(e) Unsatisfactory grades.

(f) Upon attaining postgraduate degree.

(g) When conditions for delay no longer exist.

(5) Advising applicants whose Category A delay has been approved that requests for renewal of delay must be submitted in the manner and within the time frame established in paragraph 2-13b(1)(d).

(6) Insuring that officers retained under their jurisdictional control are scheduled for active duty or ACDUTRA, as appropriate, as soon as possible under termination of delay.

(7) Publishing orders, as required, detailing officers granted initial Category A delay to pursue subjects identified by the following codes in AR 330-330 to MSC branch prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCPC:

203—Entomology

205—Parasitology, General

208—Medical Microbiology

420—Public Health Sanitary Engineer

All codes in the Medical Sciences Grouping listed in AR 330-330.

(8) Publishing orders, as required, detailing officers granted initial Category A delay to pursue study in religion—Theology, subject code 114 (AR 330-330) to Staff Specialist Branch MOS 0001 prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCPC.

(9) Publishing orders, as required, detailing officer specifically selected by The Judge Advocate General, Headquarters, Department of the Army (AR 601-107) for initial Category A delay to pursue study in General Law, subject code 599 (AR 330-330) to JAGC Branch prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCPC.

b. The CO, USARCPC is responsible for the

actions set forth below until such time as officers under his jurisdictional control enter on active duty or ACDUTRA, or are screened to the Stand-by Reserve, or are sooner separated.

(1) Maintaining control over the officer, his Military Personnel Records Jacket, U.S. Army (DA Form 201), and for strength accountability.

(2) Furnishing officers necessary forms and instructions for applying for renewal of delay not later than 150 days prior to termination of current delay, and for making final decisions on such requests.

(3) Notifying applicants of decisions on delay requests.

(4) Advising the applicant of continued responsibility, as set forth in *a(4)* above, when delay request is approved.

(5) Insuring that officers are scheduled for active duty or ACDUTRA as soon as possible upon termination of their delay.

2-12. Reserve participation. Officers granted delay from entry on initial tour of active duty are neither required nor authorized to participate in Reserve activities, except that officers detailed Staff Specialist may participate in the education and training programs set forth in AR 135-318 for members assigned to Staff Specialist Branch (Divinity Student) MOS 0001. Applications for such training must be submitted under the provisions of AR 135-318 to CO, USARCP, ATTN: RCPO at least 60 days prior to the training date requested.

2-13. Applications for initial delay or renewal of delay. *a. Applications for initial delay.* Applications must be submitted in three copies as follows:

(1) *Category A.*

(a) Submitted by applicant on DA Form 591. Applicant is responsible for submitting the DA Form 591 to the appropriate institution official for verification of enrollment or acceptance for enrollment.

(b) DA Form 591 must be accompanied by DA Form 591A, DA Form 591B, or DA Form 591C, as appropriate (para 2-4b(5)).

(c) DA Form 591 with inclosure will be submitted to the appropriate area commander.

(d) Application must be submitted not later than 120 days prior to the date upon which

the individual is scheduled to graduate and be appointed.

(2) *Category B, C, or D.*

(a) Applications for Category B, C, or D delay will be submitted in letter form in accordance with the format shown in figure 2-1.

(b) Applications for Category C delay must be accompanied by documentary evidence substantiating hardship conditions.

★(c) Applications for Category D delay based upon initial employment must be accompanied by specific information from the employer. This information must include the general nature of the training program into which the individual will enter upon his employment; the beginning and ending dates of the training course or cycle for which he is scheduled; verification that the training program for which he would be scheduled with subsequent employment will not be available upon his relief from active duty; and, that completion of the training at this time will insure re-employment with the organization upon his relief from active duty. Application for Category D delay to participate in primary elections preliminary to running for election to the Congress of the United States must be accompanied by a signed statement from an authorized representative from a recognized political party that the officer is an official party candidate. Applications for Category D delay to participate as a candidate in a primary election will be submitted in letter format substantially as indicated in figure 2-1, except paragraph 8 of the format will be modified to read as follows:

"8. I understand that if this delay is approved and I am not elected in the primary or the general election, I am responsible to notify the commander indicated above and I will be immediately available for active duty. I further understand that if I am elected to the Congress of the United States, I will be transferred immediately to USAR Control Group (Reinforcement)."

(d) Applications for Category B or D delay must be submitted not later than 120 days prior to the date upon which the individual is scheduled to graduate and be appointed.

(e) Applications for Category C delay will be submitted immediately upon the occurrence of the situation which warrants delay.

(f) All applications will be submitted to the appropriate area commander.

b. Applications for renewal of delay. Applications must be submitted in three copies as follows:

(1) *Category A.*

(a) Submitted by the officer on a form prescribed and furnished from the CO, USARCPD.

(b) Officer is responsible for submitting the renewal request to the appropriate institution official for verification of continued enrollment.

(c) Application for renewal of delay will be submitted to CO, USARCPD.

(d) Application for renewal of delay must be submitted not later than 120 days prior to the date upon which current delay is scheduled to terminate.

(2) *Category B.*

(a) Applications for renewal of Category B delay submitted as exceptions to policy will be prepared by the officer in letter format.

(b) Officer is responsible for including substantiating documentation necessary to support his request.

(c) Applications for renewal of delay will be submitted to the area commander or CO, USARCPD, whichever has jurisdictional control over the officer.

c. Disposition of delay requests. Applications

for initial delay or renewal of delay on which final action has been taken will be distributed and filed as follows:

(1) Original—To be filed in applicant's Official Military Personnel File.

(2) Copy—To be filed in applicant's Military Personnel Records Jacket, U.S. Army (DA Form 201).

(3) Copy—To be returned to applicant.

2-14. Personnel records. *a.* Area commanders accomplishing appointment of ROTC graduates are responsible for initiating personnel records as prescribed in AR 145-10.

b. Personnel records of officers remaining under the jurisdictional control of area commanders pending entry on initial tour of active duty or ACDUTRA will be forwarded as prescribed in AR 145-1.

c. Personnel records of officers transferred to USAR Control Group (Officer Active Duty Obligor) will be forwarded as follows at the time of transfer:

(1) Official Military Personnel File will be forwarded to the U.S. Army Administration Center.

(2) Military Personnel Records Jacket, U.S. Army will be forwarded to the U.S. Army Reserve Components Personnel Center.

(Date)

SUBJECT: Application for Delay from Entry on Initial Tour of Active Duty/ACDUTRA

TO: (Commander having jurisdictional control)

1. Request that I be granted a Category () B, () C, or () D delay in reporting for my initial tour of active duty/ACDUTRA for the reasons set forth herein.

2. My reason for requesting delay is: _____

3. The following letters and/or documents are submitted to substantiate my request: _____

4. Delay is requested for a period of _____ months to commence _____ 19__ and to terminate during _____ 19__.

5. I (have) (have not) been granted previous delay. (If granted previous delay, furnish periods of delay and reasons.)

6. I (was) (will be) appointed as a commissioned officer in the USAR by _____ during _____ 19__.
(Area Command Headquarters)

7. My address while on delay status will be: _____
_____ Telephone: _____

8. I understand that upon termination of delay, the determination as to whether I serve on active duty or ACDUTRA rests with the Department of the Army and that my delay can be terminated at any time by Department of the Army because of overriding military requirements.

(Signature)

(Name typed or printed)

(Grade, branch and service No. if appointed)

(Social Security Account Number)

Figure 2-1.

CHAPTER 3

READY RESERVISTS—DELAY IN REPORTING FOR OR EXEMPTION FROM INVOLUNTARY ORDER TO ACTIVE DUTY

Section I. GENERAL

3-1. Scope. *a.* The provisions of this chapter become effective when units and individual members of the Ready Reserve are being involuntarily ordered to active duty pursuant to law.

b. Delay or exemption from involuntary active duty may be authorized members of the Ready Reserve only under the conditions outlined in this chapter, except as otherwise provided in *c* below.

c. Headquarters, Department of the Army, may issue separate instructions authorizing delays or exemptions under conditions other than those outlined in this chapter, when in the national interest, *dependent upon the circumstances and subject to the needs of the military service at the time involuntary order to active duty is authorized.*

3-2. Delay and exemption policies. *a. Special registrants.* Medical, dental, veterinary, and allied medical science registrants allocated to the Department of the Army by Selective Service System through special calls have been determined by Selective Service to be available for immediate active duty. These registrants are processed for a commission and active duty pursuant to AR 601-54.

(1) Registrants who request delay or exemption prior to executing an oath of office as a commissioned officer will be advised that they are under the jurisdiction of Selective Service and such requests should be submitted concurrently to their local draft board and to the appropriate State Director of Selective Service.

(2) Delay or exemption of registrants who have executed an oath of office as a commissioned officer is authorized only when it can be demonstrated that an extreme personal or community hardship has developed since the oath of office was executed.

b. Other members of the Ready Reserve. Members of the Ready Reserve, other than those described in *a* above, may be granted a delay in reporting for active duty or exemption from active duty, under the conditions outlined below:

(1) *High school students.* Any member of the

Ready Reserve who is a high school student on the date he or his unit of assignment is alerted for or ordered to active duty will be delayed from entry on involuntary order to active duty until such time as he ceases to pursue such course satisfactorily, graduates, or attains age 20, whichever occurs first.

(2) *Ready reservists in a drill pay status.* Delay or exemption is authorized for Ready reservists who are in a drill pay status, other than high school students, only in exceptional cases when the involuntary order to active duty will result in extreme personal or community hardship (para 1-12).

(3) *All other Ready reservists.* Delay or exemption of all Ready reservists, other than those described in (1) and (2) above, is authorized in accordance with either of the following criteria:

(a) In exceptional cases when the involuntary order to active duty will result in an extreme personal or community hardship (para 1-12); or

(b) If the circumstances would qualify the member for removal from the Ready Reserve under AR 135-133 or NGR 26, either by transfer to the Standby Reserve, discharge, or other appropriate action; and they either—

1. Requested removal from the Ready Reserve before receiving first notice of alert, either by receipt of orders for active duty or by other means of notification; or

2. Have good and sufficient reason for not having submitted a timely request for removal from the Ready Reserve.

3-3. Period of delay. *a.* Commanders responsible for delay and examination procedures are authorized to grant delays for the periods prescribed below:

(1) Normally, period of delay should not exceed 30 days from the date on which the reservist is initially designated to report for active duty. However, if the merits of the case so warrant, delay may be authorized not to exceed a maximum of 60 days from date of initial designated reporting date.

(2) Within the limitations imposed in (1)

above, in those instances wherein a final determination cannot be made on application for delay or exemption, a temporary delay may be authorized pending final action on such application.

b. Delays in excess of the periods prescribed in a above may be granted by Headquarters, Department of the Army, under the conditions outlined in paragraph 3-11b.

Section II. RESPONSIBILITIES

3-4. General instructions. a. *Requirement for a board of officers.* Each headquarters charged with administrative delay or exemption procedures will convene a board of at least three officers to consider applications for delay or exemption from involuntary order to active duty, except as otherwise provided in b below. At least one member of the board will be a Medical Corps officer when requests submitted by Army Medical Service personnel for delay for community hardship are being considered.

b. *Exceptions.* Members of the Ready Reserve who are students in high school and who have not reached the age of 20 will be granted delay from entry on involuntary order to active duty, based upon their request, and documentary evidence of their student status.

3-5. Responsibility for granting delays and exemptions. Except as otherwise provided in this regulation, responsibility for granting delays and exemptions is assigned to the following:

★a. Area commanders are responsible for the determination on all requests for delay and exemption submitted by ROTC officers under their immediate jurisdictional control (ch 2), except that the discharge of such officers as a result of approved exemptions will not be accomplished without prior approval from Headquarters, Department of the Army. Such recommendations will be forwarded with board proceedings to the CO, USARPCPC for final determination. The CO, USARPCPC is responsible for the determination on all requests for delay and exemption submitted by ROTC officers under his jurisdictional control.

b. The adjutant general of each State, Commonwealth of Puerto Rico, and the District of Columbia, is responsible for the determination on all

requests for delays and exemptions submitted by ARNGUS members within his jurisdiction.

c. Area commanders and the CO, USAAC are responsible for determination on all requests for delay and exemptions submitted by USAR members under their immediate jurisdictional control, except that the discharge of obligated officers as a result of approved exemptions will not be accomplished without prior approval from Headquarters, Department of the Army. Such recommendations will be forwarded with board proceedings to the CO, USARPCPC for final determination.

★3-6. Responsibility for considering appeals.

a. Final decisions on all appeals for reconsideration of denial of requests for delay or exemption will be made at Headquarters, Department of the Army.

b. Area commanders and CO, USAAC will forward appeal requests from USAR members under their jurisdiction with recommendation to CO, USARPCPC, Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPA, Ft Benjamin Harrison, Ind. 46249.

★c. State adjutants general will forward appeal requests from ARNGUS members under their jurisdiction with recommendation to the Chief, National Guard Bureau, ATTN: ARP, Washington, D.C. 20310.

3-7. Discharge provisions. Except as otherwise provided in this regulation, when the board of officers, in considering an applicant's request for exemption from involuntary active duty and discharge from his status as a Reserve of the Army, recommends approval of the request, the member will be discharged in accordance with paragraph 3-13 or 3-14, when his request has been approved by appropriate authority.

Section III. PROCEDURES

3-8. Procedures for initiating requests. *a. Individuals authorized to initiate request.* Any member of the ARNGUS or USAR who has been alerted for or ordered to involuntary active duty either as a member of a unit or as an individual.

b. To whom submitted.

(1) *ARNGUS personnel.* Application will be submitted to member's unit commander who will immediately forward it, together with applicant's records, to the appropriate State adjutant general.

(2) *USAR personnel.* Applications initiated by USAR members will be submitted as follows:

(a) ROTC officers will submit their applications direct to the CONUS army commander, oversea commander, or CO, USARPCP under whose jurisdiction they are assigned for control.

(b) A member of the USAR unit will submit his application to his unit commander who will immediately forward it, together with the member's records, to the appropriate area commander.

(c) A nonunit member, except as provided in (a) above, will submit his request to the oversea commander or CO, USAAC under whose jurisdiction he has been assigned for control.

3-9. Requests for delay or exemption. All requests for delay or exemption will be submitted in letter form, furnishing the reasons for such request, together with the appropriate information, documentary evidence, and other statements, as prescribed in this paragraph.

a. Requests for delay. Any member applying for delay on the basis of extreme personal or com-

munity hardship must include in his application the following:

(1) Documentary evidence of such hardship condition; and

(2) Date of inception of the hardship condition.

b. Requests for exemption. Request for exemption will include, in addition to the information required to determine eligibility for transfer, the appropriate information prescribed in (1) or (2) below, dependent upon the basis for such request. All requests must be accompanied by a "Statement of Understanding and Request for Discharge" (fig. 3-1).

(1) All applications submitted on the basis of extreme personal or community hardship will include the documentary evidence and other information prescribed in *a* (1) and (2) above.

(2) Applications submitted by Ready Reserve members, not in a drill pay status, on the basis of eligibility for transfer to the Standby Reserve under AR 135-133 or NGR 26, will include the information outlined in (a) or (b) below, whichever is appropriate.

(a) If timely request for transfer was made prior to date of alert or order to active duty, furnish evidence of such request including the date thereof, or reference to such evidence, if not available.

(b) When timely request for transfer was not submitted prior to date of alert or order to active duty, present good and sufficient reason(s) for not having made a timely request.

SUBJECT: Statement of Understanding and Request for Discharge.

I understand that if my request for exemption is approved, I will be discharged from my status as a Reserve of the Army, unless I elect and am eligible for transfer to the Retired Reserve. I further understand that I may, if obligated, be transferred to the Standby Reserve in lieu of discharge and be retained therein for availability for mobilization at such time as the reason for my exemption no longer exists. I also understand that if I am transferred to the Standby Reserve I will not be permitted to participate in any Reserve training whereby I may be eligible to earn retirement points or to receive Federal pay, until such time as I have performed active duty, other than for training, subsequent to the transfer to the Standby Reserve.

I hereby request discharge from my status as a Reserve of the Army, if such discharge is considered to be appropriate as a condition to my being granted an exemption from involuntary active duty. If I am eligible for transfer to the Retired Reserve, I elect such transfer in lieu of discharge.

(Signature)

(Grade)

(Social security account number)

(Date)

Figure 3-1.

3-10. Availability of records. It is important that all personnel records pertinent to the proper evaluation of an application for delay or exemption are available. Therefore—

a. Unit custodians will forward all pertinent records, together with the application, to the appropriate headquarters authorized to grant delays and exemptions.

b. Records will be returned to the proper custodian immediately upon completion of the evaluation.

3-11. Action on requests for delay or exemptions. *a.* Requests will be considered only upon written application submitted by the member concerned. Requests which do not contain the complete information, documentary evidence, and other required data will be returned to the individual with specific indication of the additional information desired.

b. In those exceptional cases when requests from members for delay in excess of 60 days are recommended for approval by the appropriate commander, such requests will be forwarded as follows:

(1) Area commanders and CO, USAAC will forward such requests to CO, USARCPC, ATTN: RCPA.

(2) State adjutants general will forward such requests to Chief, NGB ATTN: ARP.

★(3) In the case of medical specialist registrants appointed in the USAR under the provisions of AR 135-101, AR 601-139, and AR 601-54, the area commander will process such requests for delay and exemption in accordance with this regulation. Appeal actions submitted by medical specialist registrants will be forwarded to the CO, USARCPC, ATTN: RCPA, for final determination. CO, USARCPC may obtain the advice of the Chairman, National Advisory Committee to the Selective Service System in those unusual cases requiring assistance in determining the essentiality of the registrant.

c. Request for delay or exemption submitted on the basis of extreme personal or community hardship—

(1) *May be considered* when the extreme personal or community hardship condition occurs not

more than 6 months prior to receipt of alert or active duty orders.

(2) *May not be considered* when such hardship condition existed at the time applicant submitted DA Form 1140 (Army Reserve Qualification Questionnaire) or DA Form 1140-1 (Army Reserve Status Verification Questionnaire) as prescribed in AR 140-25, whichever is the more recent, and applicant failed to request transfer from the Ready Reserve by reason of hardship.

3-12. Boards of officers. In considering requests for exemption, boards of officers will be governed by the policies and instructions outlined below.

a. General.

(1) Members of the Ready Reserve whose request for exemptions are approved are required to be removed from the Ready Reserve under provisions of AR 135-133. Disposition of such individuals will be in accordance with (a) or (b) below, whichever is appropriate.

(a) Nonobligated members will be discharged from their status as Reserves of the Army unless they are eligible for, and elect transfer to, the Retired Reserve.

(b) Obligated members will be either discharged from their status as Reserves of the Army; or transferred to the Standby Reserve and assigned to a USAR Control Group (Ineligibles).

(2) Obligated members who are transferred to the Standby Reserve by reason of being exempted from involuntary active duty and subsequently assigned to a USAR Control Group (Ineligibles) *will not be permitted* to participate in any Reserve training for which they may earn retirement points or be entitled to receive pay from Federal funds, until they have served in the active military service, other than for training, subsequent to transfer to the Standby Reserve.

b. Delay in lieu of exemption. When, in the opinion of the board of officers, the circumstances surrounding the request for exemption because of personal or community hardship warrants delay rather than exemption, the board will recommend that the applicant be authorized delay.

c. Recommendations.

(1) When the board of officers recommends approval of an applicant's request for exemption,

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the board must also include an appropriate recommendation for the removal of applicant from a Ready Reserve status either by discharge or transfer, as outlined in *a* above, subject to the provisions of (2) below.

(2) In the case of an obligated member, the

board will recommend discharge of the applicant *only* in those instances wherein it is determined that the member's retention in the Reserve is not in the best interests of the service.

3-13. Final actions by the State adjutants general. The appropriate State adjutant general will

insure that the final actions outlined below are taken on requests for delay and exemption submitted by members of the ARNGUS under his jurisdiction.

a. The member is notified of the decision on his application for delay or exemption.

b. When the request is denied, notify the member of such denial and reason therefor, together with his right to appeal such decision.

c. When, based upon the recommendations of a board of officers, the member's request for exemption is approved and the individual is separated from the Army National Guard under the provisions of NGR 20-4 or NGR 25-3, the following appropriate actions will be taken:

(1) When separation from the Army National Guard of the State is based upon the approved recommendations of a board that the member's request for discharge from his status as a Reserve of the Army be accepted—

(*a*) An enlisted member will be concurrently discharged from his enlistment as a Reserve of the Army.

(*b*) In the case of an officer, a signed copy of the officer's request for discharge as a Reserve of the Army and acceptance of his request for discharge from his Army National Guard status will be forwarded to the CO, USAAC with pertinent records in accordance with NGR 20-4.

(2) When the board recommends the individual be retained and separation is effected from the Army National Guard only, a copy of the orders directing the discharge of the member from his Army National Guard status and assignment to the Army Reserve together with pertinent records will be forwarded to the CO, USAAC.

3-14. Action by area commanders and CO, USAAC, and CO, USARCP. The commander having responsibility for the administration of delay and exemption procedures over USAR members under their jurisdictional control will take the actions outlined below on requests for delay or exemption submitted by such members.

a. Notify the reservist of the decision rendered on request for delay or exemption.

b. When the request is denied, notify the member of such denial and reason therefor, together with his right to appeal such decision.

c. When, based upon the recommendations of a board, the member's request for exemption is

approved, the following appropriate action will be taken concurrent with granting the exemption:

(1) Except as provided in paragraphs 3-5*a* and *b*, accomplish the discharge of the member concerned from his status as a Reserve of the Army, provided such recommendation was made by the board.

(2) Accomplish the transfer to the Standby Reserve and assignment to USAR Control Group (Standby—Ineligible) of the member concerned, when the board recommends such transfer in lieu of discharge action.

d. When requests for delay or exemptions are granted, appropriate orders will be issued in accordance with AR 310-10. Copies of such orders will be immediately transmitted to—

(1) The member concerned.

(2) The unit commander or records custodian in those instances of actions by Army commanders. **3-15. Appeals.** *a. General.* Appeals for reconsideration of denial of requested delay or exemption may be considered when the member can furnish additional evidence which may warrant further review of his original request. When the basis of the appeal is for reasons other than furnished in the original request, such requests will be processed as an initial request for delay or exemption.

b. How submitted. Applications for appeals will be submitted in accordance with instructions provided in this regulation for initial requests for delays and for exemptions. The request for appeal will contain the reason for such appeal and will be accompanied by the additional evidence which is the basis for the appeal.

c. Channels for appeal.

★(1) *Members of the ARNGUS:* ARNGUS members will submit their requests for appeals to the commander of the unit of assignment, who in turn will forward the request together with all pertinent records direct to the appropriate State adjutant general, who will make appropriate recommendation and forward the case as set forth in paragraph 3-6*c*.

★(2) *Members of the USAR.*

(*a*) *ROTC Officers.* ROTC officers will submit their appeals direct to the Area commander or CO, USARCP whichever has jurisdictional control over the officer concerned. Area commanders will forward such requests with records

and recommendation to CO, USARCPC, ATTN: RCPA.

(b) Other members of the USAR.

1. Members assigned to USAR units will submit their appeals to their unit commander. The unit commander will forward appeals together with pertinent records and recommendation to the appropriate area commander. Other USAR members will submit their requests direct to the area commander under whose area they are assigned for control purposes. Area commanders will forward such requests with records and recommendation to the CO, USARCPC ATTN: RCPA.

2. Members assigned to control groups under the jurisdiction of CO, USAAC will submit their appeals direct to CO, USAAC. CO, USAAC will forward such requests with records and rec-

ommendation to the CO, USARCPC ATTN: RCPA.

3-16. Necessity for prompt action. *a.* All initial requests and appeals for delay or exemption will be acted upon with all possible promptness by every agency processing them. Every positive action will be taken to notify an applicant of final action as soon as possible and in all cases, if possible, prior to the date he must depart from his home to comply with orders. Telegraphic notifications will be used freely.

b. When the commander responsible for taking final action on such requests is unable to make a final determination of the case before the date the individual is to report for duty, he may, if he considers it appropriate, grant a temporary delay under provisions of paragraph 3-3a(2).

CHAPTER 4

STANDBY RESERVISTS—DELAY IN REPORTING FOR INVOLUNTARY ACTIVE DUTY

Section I. DELAY POLICIES

4-1. Scope. This chapter governs the delay in reporting for involuntary active duty of those members of the Standby Reserve who have been determined by Selective Service authorities to be available for active duty in time of war or national emergency declared by Congress.

4-2. Delay and exemption policies. Members of the Standby Reserve may be authorized temporary delays in reporting for involuntary active duty, or total exemption from such duty, under the conditions outlined below.

a. Criteria. Requests for delay or exemption may be approved only for extreme personal hardship conditions which arose subsequent to

the determination by Selective Service authorities of the member's availability for active duty.

b. Period of delays. Delays may be authorized for the minimum period required to alleviate the hardship condition, or to permit the redetermination of the member's availability category by Selective Service authorities. Maximum period of delay will not exceed 60 days.

c. Exemption. An exemption from the requirement to perform active duty may be granted only when the appropriate Selective Service authorities, after reconsideration, have determined the member as not available for active duty.

Section II. RESPONSIBILITIES AND PROCEDURES

4-3. Requirements for a board of officers. The Commanding Officer, U.S. Army Administration Center, will convene a board of at least three officers to consider applications for delay or exemption. Members of the board will be experienced officers familiar with the provisions and intent of chapters 3 and 4. At least one member of the board will be a Medical Corps officer when requests submitted by Army Medical Service personnel for delay or exemption for community hardship are being considered.

4-4. Responsibility for granting delays and exemptions. The Commanding Officer, U.S. Army Administration Center, St. Louis, Mo., is responsible for the determination of all requests for delay and exemption.

4-5. Responsibility for considering appeals. Responsibility for rendering decisions on appeals for reconsideration of a denial of request for delay or exemption is retained by Headquarters, Department of the Army. All such appeals will be forwarded to the Commanding Officer, United States Army Reserve Components Personnel Center, ATTN: RCPA, Fort Benjamin Harrison, Indianapolis, Ind. 46249.

4-6. Discharge provisions. The discharge provisions prescribed in chapter 3 also apply to members of the Standby Reserve.

4-7. Procedures. The procedures prescribed in chapter 3 also apply to this chapter, except as otherwise provided in paragraph 4-8.

4-8. Redetermination of availability category. Responsibility for redetermination of availability category of a Standby reservist rests with the appropriate Selective Service authorities. The following provisions apply when a member requests exemption from involuntary active duty and his request is recommended for approval by the board of officers:

a. Delay may be authorized to permit the appropriate Selective Service authorities to reconsider the merits of the case.

b. The application, together with documentary evidence, will be forwarded to the appropriate local board or Selective Service State Director, requesting reconsideration and redetermination of the reservist's availability and category.

The proponent of this regulation is the Office of Personnel Operations. Users are invited to send comments and suggested improvements to Chief of Personnel Operations, Department of the Army, Washington, D. C., 20310.

By Order of the Secretary of the Army:

HAROLD K. JOHNSON,
*General, United States Army,
Chief of Staff.*

Official:

KENNETH G. WICKHAM,
*Major General, United States Army,
The Adjutant General.*

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NGUS or USAR unit commanders or individual members of the USAF that orders to active duty are pending for the unit or the member. Such communication normally will indicate the effective date of the orders; the mobilization station to which the unit or individual member will be ordered for final type processing; and such other basic data as deemed necessary by the issuing authority.

c. Appeal. The request made by a member for reconsideration of a decision denying a request for delay or exemption from involuntary order to active duty.

d. Delay. The postponement of either the date the member is available to report for his active duty tour or the reporting date specified in his orders to active duty.

e. Exemption. Total relief from the requirement to report for his active duty tour or the reporting date specified in his orders to active duty.

f. Full-time course of instruction. A full-time schedule prescribed for a resident student consisting of not less than 9 semester hours of graduate studies, exclusive of enrollment in night school or extension courses; or, in accordance with the regulations of the institution of higher education, appropriate certification of full-time course of instruction, whichever of the above involves the lesser academic requirement.

g. Graduate studies. Studies on a graduate level, being pursued by a student subsequent to his attainment of a baccalaureate or first degree.

h. Institution of higher education. An institution of higher education is defined as follows:

(1) An educational institution, located within CONUS, listed in Part 3, The Education Directory, Higher Education, published annually by the Office of Education, Department of Health, Education, and Welfare.

(2) A recognized degree granting educational institution, located outside CONUS, listed in one of the following publications (these publications may be purchased from the American Council on Education, Publications Division, 1785 Massachusetts Avenue NW., Washington, D.C. 20036):

(a) International Handbook of Universities, current edition, published by the International Association of Universities in Paris.

(b) Commonwealth Universities Yearbook, published annually by the Association of

Universities of the British Commonwealth, London.

(3) As exceptions to (1) and (2) above:

(a) An approved medical school is a school of medicine located in CONUS, Hawaii, Alaska, Puerto Rico, or Canada which is listed as approved by the Council on Medical Education of The American Medical Association.

(b) An approved school of osteopathy is a school of osteopathy located in CONUS which is listed as approved by the American Osteopathic Association.

(c) An approved dental school is a school of dentistry located in CONUS, Hawaii, Alaska, Puerto Rico, or Canada listed as approved by the American Dental Association.

(d) An approved veterinary school is a school of veterinary medicine located in CONUS, Hawaii, Alaska, or Canada accredited by the American Veterinary Medical Association.

★(e) For the purpose of religious training, a recognized theological or divinity school is one recognized by the particular religious sect as being such a school. Such recognition does not in itself qualify a divinity school student for appointment in the Chaplains' branch.

i. Member. A commissioned officer, warrant officer, or enlisted person in the Ready Reserve either as a unit member or as an individual member.

j. ROTC officer. An officer commissioned through the ROTC program who has not performed his initial period of active duty or active duty for training in accordance with the agreement executed by him while enrolled in the ROTC program.

k. Seasonal employment. Employment which is not continuously active or not at peak operation during the whole of a calendar year and which will not be available to an ROTC officer if he is scheduled to enter on active duty during the 6-month period immediately following graduation and appointment or termination date of current delay status, whichever date is the later.

l. Initial employment. Employment that is offered or accepted by an individual immediately subsequent to attainment of an educational degree and the employer has certified that the individual must accept the position and undergo training to insure reemployment upon completion of active duty. Such employment would not be available to

the individual if required to enter upon active duty during the 6-month period immediately following graduation and appointment or termination date of current delay status, whichever date is the later.

m. Extreme personal hardship. Conditions under which the reservist's entry on active duty would have a substantial adverse effect upon member(s) of the reservist's family.

n. Members of immediate family. Normally, members of the immediate family will include the following:

(1) Spouse, divorced spouse, legitimate or illegitimate child, legally adopted child, stepchild, foster child, parent, grandparent, brother, or sister; or

(2) A person under 18 years of age, or a person of any age who is physically or mentally handicapped, whose support the reservist has assumed in good faith.

1-12. Criteria for hardship conditions. *a. Extreme personal hardship.*

(1) *Illness of a member of immediate family.* When, in the opinion of the attending physician, the illness of the member is such that—

- (a) Fatality appears to be imminent; or,
- (b) Presence of the reservist is an impor-

tant factor in the recovery of the patient and his immediate departure would have a serious effect upon the patient.

(2) *Financial or domestic hardship.* Financial or domestic hardship conditions do not exist solely because of altered income, or because the reservist is separated from his family, or because the family must suffer the inconveniences normally incident to military service. In general, this requirement will be met only when both of the following conditions are determined to exist:

(a) Members of the immediate family are dependent upon the reservist for support; and

(b) Presence of the reservist is the only readily available means of eliminating or materially alleviating the hardship condition.

b. Extreme community hardship. In general, this requirement will be met only when all of the following conditions are determined to exist:

(1) The service performed by the reservist is essential to the maintenance of health, safety, or welfare of his community.

(2) The service cannot be performed by other persons residing in the area concerned.

(3) The reservist cannot be replaced in the community by another person who can perform such services.

CHAPTER 2

OFFICERS COMMISSIONED THROUGH THE ROTC PROGRAM—DELAY FROM ENTRY ON ACTIVE DUTY

Section I. GENERAL

2-1. General. *a.* The primary purpose of maintaining the ROTC program is to procure commissioned officers to meet the needs of the Active Army and to meet mobilization requirements. Officers commissioned through the ROTC program are required to perform an initial period of active duty, or if not needed on active duty, to perform 3 to 6 months of initial active duty for training (ACDUTRA) in accordance with the terms of their deferment or contractual agreement.

b. This chapter outlines the conditions whereby officers commissioned or to be commissioned through the ROTC program may be eligible to apply for one of the following categories of delay from entry on their initial tour of active duty or ACDUTRA.

- (1) Category A—Post Graduate Study.
- (2) Category B—Professional licensing for specialties allied to the field of medicine.
- (3) Category C—Personal or community hardship.
- (4) Category D—Initial/seasonal employment and licensing or certification to practice in professional field in other than field of medicine.

c. The Department of the Army may suspend the authority to grant delays or may terminate previously granted delays because of overriding military requirements.

d. The determination as to whether an officer will serve on active duty or active duty for training upon termination of delay rests with Department of the Army.

e. Officers authorized delay to pursue subjects listed in paragraph 2-11(7), (8) or (9) who are detailed to branches indicated therein and who leave school or fail to obtain the degree for which delay was granted will be ordered to active duty or ACDUTRA, as appropriate, in the branch in which they were initially commissioned unless they are transferred to a different branch of service.

2-2. Scope. The provisions of this chapter apply to all USAR officers appointed from the ROTC program.

a. Cadets who received Army Scholarship Assistance may be authorized Category A delay only under the following circumstances:

- (1) Cadets who wish to compete for fellowships, scholarships, or grants of national or international significance offered by a corporation, fund, foundation, or educational institution that is organized and operated primarily for scientific, literary, or educational purposes such as the National Science Foundation, Atomic Energy Commission, or Rhodes Scholarship may submit a request through military channels, not later than 120 days prior to graduation, to the Commanding Officer, U.S. Army Reserve Components Personnel Center (CO, USARPCPC), ATTN: RCPO, Fort Benjamin Harrison, Indianapolis, Ind. 46249 to obtain permission to compete for a scholarship, fellowship, or grant. Requests will contain the name and

address of the institution where study or other program will be performed; transcript of all education completed to date, length and outline of course or research program, degree to be obtained (if applicable), and particulars on the scholarship, fellowship, or grant. Requests will be accompanied by a completed DA Form 591 and DA Form 591A as prescribed in paragraph 2-13a. Interim approval of the request and accompanying application for delay will be made at Headquarters, Department of the Army only based upon the individual merits of each case. When notified that the fellowship, scholarship, or grant has been awarded, the cadet will immediately forward complete documentary evidence of the award to the CO, US-ARCPC. CO, USARCPC will advise the appropriate area commander of final approval and any additional instructions which are necessary.

- (2) Cadets who have received notification of selection for appointment in the Regular Army upon attainment of a baccalaureate degree may apply for delay as set forth in AR 601-105, AR 601-112, or AR 601-114, or AR 601-116, as appropriate.

b. Cadets who apply for delay to enroll in approved medical, dental, or veterinary schools (para 1-11h(3)) to pursue a course of study leading to a degree in medicine, dentistry, or veterinary medicine may be granted initial Category A delay under this regulation. Officers granted delay will be transferred as indicated in paragraph 2-5b. These officers will be considered as participants in the Medical Service Early Commissioning Program. Renewal or granting of delay for other reasons will be accomplished as set forth in AR 601-140.

c. Cadets who apply for Category A delay to enroll in an accredited institution (para 1-11h(3)(e)) to pursue Theology, subject code 114 (AR 330-330) may be granted initial delay under this regulation. Officers granted delay will be transferred as indicated in paragraph 2-5b. Renewal or granting of delay for other reasons will be accomplished as set forth in this chapter.

2-3. Responsibilities. The following commanders are responsible for the administrative actions prescribed in this chapter:

a. Area commanders described in AR 140-1 who exercise appointment authority under paragraph 4, AR 145-100.

b. The Commanding Officer, U.S. Army Reserve Components Personnel Center, Fort Benjamin Harrison, Indianapolis, Ind. 46249.

Section II. DELAY POLICIES, CATEGORIES, ELIGIBILITY CRITERIA AND JURISDICTIONAL CONTROL

2-4. General. a. This section explains delay policies, defines delay categories, establishes eligibility criteria for delay, prescribes periods of delay, and the responsibilities for jurisdictional control over officers in delay status.

b. Delay policies.

- (1) An individual may be eligible for delay in reporting for initial period of active duty or ACDUTRA if he has been accepted or has reasonable evidence of acceptance for enrollment by an approved and recognized institution of higher education for graduate

or professional studies, would suffer undue hardship, or for other cogent reasons authorized in this chapter.

- (2) Approval of delay will be based upon the applicant's meeting the eligibility requirements or criteria prescribed for the appropriate delay category and submission of request within the established time frame.
- (3) Requests for Category A, B, or D delay submitted after the time frames set forth in this chapter will not be approved, except where the individual

Section III. PROCEDURES

3-8. Procedures for initiating requests. *a. Individuals authorized to initiate request.* Any member of the ARNGUS or USAR who has been alerted for or ordered to involuntary active duty either as a member of a unit or as an individual.

b. To whom submitted.

(1) *ARNGUS personnel.* Application will be submitted to member's unit commander who will immediately forward it, together with applicant's records, to the appropriate State adjutant general.

(2) *USAR personnel.* Applications initiated by USAR members will be submitted as follows:

(a) ROTC officers will submit their applications direct to the CONUS army commander, oversea commander, or CO, USARPCP under whose jurisdiction they are assigned for control.

(b) A member of the USAR unit will submit his application to his unit commander who will immediately forward it, together with the member's records, to the appropriate area commander.

(c) A nonunit member, except as provided in (a) above, will submit his request to the oversea commander or CO, USAAC under whose jurisdiction he has been assigned for control.

3-9. Requests for delay or exemption. All requests for delay or exemption will be submitted in letter form, furnishing the reasons for such request, together with the appropriate information, documentary evidence, and other statements, as prescribed in this paragraph.

a. Requests for delay. Any member applying for delay on the basis of extreme personal or com-

munity hardship must include in his application the following:

(1) Documentary evidence of such hardship condition; and

(2) Date of inception of the hardship condition.

b. Requests for exemption. Request for exemption will include, in addition to the information required to determine eligibility for transfer, the appropriate information prescribed in (1) or (2) below, dependent upon the basis for such request. All requests must be accompanied by a "Statement of Understanding and Request for Discharge" (fig 3-1).

(1) All applications submitted on the basis of extreme personal or community hardship will include the documentary evidence and other information prescribed in *a* (1) and (2) above.

(2) Applications submitted by Ready Reserve members, not in a drill pay status, on the basis of eligibility for transfer to the Standby Reserve under AR 135-133 or NGR 26, will include the information outlined in (a) or (b) below, whichever is appropriate.

(a) If timely request for transfer was made prior to date of alert or order to active duty, furnish evidence of such request to include the date thereof, or reference to such evidence, if not available.

(b) When timely request for transfer was not submitted prior to date of alert or order to active duty, present good and sufficient reason(s) for not having made a timely request.

SUBJECT: Statement of Understanding and Request for Discharge.

I understand that if my request for exemption is approved, I will be discharged from my status as a Reserve of the Army, unless I elect and am eligible for transfer to the Retired Reserve. I further understand that I may, if obligated, be transferred to the Standby Reserve in lieu of discharge and be retained therein for availability for mobilization at such time as the reason for my exemption no longer exists. I also understand that if I am transferred to the Standby Reserve I will not be permitted to participate in any Reserve training whereby I may be eligible to earn retirement points or to receive Federal pay, until such time as I have performed active duty, other than for training, subsequent to the transfer to the Standby Reserve.

I hereby request discharge from my status as a Reserve of the Army, if such discharge is considered to be appropriate as a condition to my being granted an exemption from involuntary active duty. If I am eligible for transfer to the Retired Reserve, I elect such transfer in lieu of discharge.

 (Signature) (Grade) (ASN)

 (Social Security Account Number) (Date)

Figure 3-1.

3-10. Availability of records. It is important that all personnel records pertinent to the proper evaluation of an application for delay or exemption are available. Therefore—

a. Unit custodians will forward all pertinent records, together with the application, to the appropriate headquarters authorized to grant delays and exemptions.

b. Records will be returned to the proper custodian immediately upon completion of the evaluation.

3-11. Action on requests for delay or exemptions. a. Requests will be considered only upon written application submitted by the member concerned. Requests which do not contain the complete information, documentary evidence, and other required data will be returned to the individual with specific indication of the additional information desired.

b. In those exceptional cases when requests from members for delay in excess of 60 days are recommended for approval by the appropriate commander, such requests will be forwarded as follows:

(1) Area commanders and CO, USAAC will forward such requests to CO, USARCPC, ATTN: RCPA.

(2) State adjutants general will forward such requests to Chief, NGB ATTN: ARP.

★(3) In the case of medical specialist registrants appointed in the USAR under the provisions of AR 140-109 and AR 601-54, the area commander will process such requests for delay or exemption in accordance with this regulation. Appeal actions submitted by medical specialist registrants will be forwarded to the Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPA, for final determination. Area commanders will obtain the advice of the State Medical Advisory Committee through the appropriate State Director of Selective Service in those cases involving community hardship prior to presentation to the local delay and exemption board. The Commanding Officer, USARCPC, will obtain the advice of the National Advisory Committee to the Selective Service System and Health Resources Advisory Committee, 1724 F Street NW., Washington, D.C. 20435, in those cases requiring assistance in determining the essentiality of the registrant.

c. Request for delay or exemption submitted on the basis of extreme personal or community hardship—

(1) *May be considered* when the extreme personal or community hardship condition occurs not more than 6 months prior to receipt of alert or active duty orders.

(2) *May not be considered* when such hardship condition existed at the time applicant submitted DA Form 1140 (Army Reserve Qualification Questionnaire) or DA Form 1140-1 (Army Reserve Status Verification Questionnaire) as prescribed in AR 140-25, whichever is the more recent, and applicant failed to request transfer from the Ready Reserve by reason of hardship.

3-12. Boards of officers. In considering requests for exemption, boards of officers will be governed by the policies and instructions outlined below.

a. *General.*

(1) Members of the Ready Reserve whose request for exemptions are approved are required to be removed from the Ready Reserve under provisions of AR 135-133. Disposition of such individuals will be in accordance with (a) or (b) below, whichever is appropriate.

(a) Nonobligated members will be discharged from their status as Reserves of the Army unless they are eligible for, and elect transfer to, the Retired Reserve.

(b) Obligated members will be either—

1. Discharged from their status as Reserves of the Army; or

2. Transferred to the Standby Reserve and assigned to a USAR Control Group (Ineligibles).

(2) Obligated members who are transferred to the Standby Reserve by reason of being exempted from involuntary active duty and subsequently assigned to a USAR Control Group (Ineligibles) *will not be permitted* to participate in any Reserve training for which they may earn retirement points or be entitled to receive pay from Federal funds, until they have served in the active military service, other than for training, subsequent to transfer to the Standby Reserve.

b. *Delay in lieu of exemption.* When, in the opinion of the board of officers, the circumstances surrounding the request for exemption because of

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personal or community hardship warrants delay rather than exemption, the board will recommend that the applicant be authorized delay.

c. Recommendations.

(1) When the board of officers recommends approval of an applicant's request for exemption, the board must also include an appropriate recommendation for the removal of applicant from a Ready Reserve status either by discharge or trans-

fer, as outlined in *a* above, subject to the provisions of (2) below.

(2) In the case of an obligated member, the board will recommend discharge of the applicant *only in those instances wherein it is determined* that the member's retention in the Reserve is not in the best interests of the service.

3-13. Final actions by the State adjutants general. The appropriate State adjutant general will

was unable to submit his request at the proper time for reasons beyond his control. In this event, the request with complete explanation may be forwarded to CO, USARCPD for final determination.

- (4) Officers authorized Category A or B delay will be assigned to USAR Control Group (Officer Active Duty Obligor) until they enter on initial tour of active duty or ACDUTRA, unless sooner separated or reassigned by proper authority.
- (5) Requests for initial Category A delay must be submitted on DA Form 591 Application for Initial (Educational) Delay from Entry on Active Duty/ACDUTRA with Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement). DA Form 591 must be accompanied by a properly executed supplemental service agreement as follows:
 - (a) DA Form 591A (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants applying for Initial (Educational) Delay from Entry on Active Duty (AR 601-25)). This agreement will be completed by all officers appointed or scheduled to be appointed from the ROTC Program who wish to apply for Category A delay, except as indicated in (b) and (c) below. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591A.
 - (b) DA Form 591B (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants Applying for Initial (Educational) Delay from Entry on Active Duty to pursue Course of Study leading to a degree in Medicine, Dentistry, or Veterinary Medicines (AR 601-25)). This agreement will be completed by all offi-

cers appointed or scheduled to be appointed from the ROTC Program who wish to apply for Category A delay to obtain a degree in medicine, dentistry, or veterinary medicine. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591B.

- (c) DA Form 591C (Supplemental Active Duty/ACDUTRA and Reserve Participation Agreement for ROTC Participants Applying for Initial (Educational) Delay from Entry on Active Duty to Pursue Religious Studies in Preparation for the Ministry (AR 601-25)). This agreement will be completed by all officers appointed or scheduled to be appointed from the ROTC Program who wish to apply for Category A delay to obtain a degree in the religious field preparatory to entering the ministry. Administrative instructions for completing this form and the DA Form 591 are included on the reverse of the DA Form 591C.
- (6) Delay from entry on initial tour of active duty based upon financial or domestic hardship (para 1-12a(2)) normally will not be approved. Requests for Category C delay based upon these reasons may be approved only as exception to policy by Headquarters, Department of the Army.
- (7) Officers who obtain an additional degree as a result of post graduate studies which is not consistent with the branch of service in which they initially were appointed may be reappointed or transferred to a different and more appropriate branch of service prior to entry on active duty.

2-5. Category A. *a. Definition.* Category A is an officer who is pursuing graduate or professional studies for the purpose of obtaining an additional academic degree.

b. Jurisdictional control. Category A officers will be transferred on Special orders issued by the appropriate area commander to USAR Control Group (Officer Active Duty Obligor), USARCPC, Fort Benjamin Harrison, Indianapolis, Ind. 46249. EDCSA will be established no later than the 20th of the month in which the delay becomes effective.

c. Period of delay. Applicants may be authorized delay for the periods prescribed below, provided they meet the eligibility requirements in *e* below.

- (1) *Initial delay.* Period of initial delay may be for the minimum period required, but in no case will the delay exceed 1 year.
- (2) *Annual renewal of delay.* Renewal of delay may be granted in increments of 1 year from the date the initial delay terminates, subject to the restrictions in (3) below.
- (3) *Maximum period of delay.* Maximum period of delay may be for that period indicated in initial application as the total period needed to complete the studies to obtain the degree objective indicated by the applicant (Item 14, DA Form 591), but not to exceed a total of 48 months from the date of initial appointment, except as otherwise provided in *d* below.

d. Exceptions to maximum period of delay. Exceptions to the maximum period of delay authorized in *c*(3) above may be granted only with the approval of Headquarters, Department of the Army. Requests for such exceptions must include full justification for further delay. Such justification may include, as appropriate, any communications from appropriate officials of graduate school or applicant concerning his degree program and progress, or forecasting remaining period required to complete research or presentation of thesis or dissertation. Officers who experience abnormal difficulty in completing classroom work, experiments, or research because of personal hardship, illness, experiment failure, or for similar reasons, must include substantiating documents from insti-

tution officials, family doctor, or minister as appropriate to the circumstances. Requests for renewal of delay which will exceed a total of 5 years will include a resumé of school requirements for the degree for which the individual is enrolled. If the estimated date of completion of studies changes from previously submitted requests for delay, justification for change must be furnished.

e. Eligibility requirements. An applicant for Category A delay must meet the following requirements:

- (1) Must execute the appropriate Supplemental Active Duty/ACDUTRA Ready Reserve Participation Agreement described in paragraph 2-4b(5).
- (2) Applicants for initial delay must—
 - (a) Be enrolled, or tentatively accepted for enrollment, as a degree student in the first regular semester or quarter commencing after the date of commissioning as an officer, or the next fall semester or quarter when the course of study is to begin only in the fall semester or quarter (e.g., medical or law school, and the applicant is a midyear appointee); and,
 - (b) Be enrolled to pursue an uninterrupted fulltime course of instruction in graduate or professional studies in an approved and recognized institution of higher education for the purpose of obtaining an additional academic degree; and,
 - (c) Submit application within the time frames set forth in paragraph 2-13a(1)(d).
- (3) Applicants for renewal of delay must—
 - (a) Meet the requirements outlined in (2)(b) above; and,
 - (b) Be satisfactorily continuing the studies at the same institution, with the same academic major professional field for which initially delayed; and,

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Section III. PROCEDURES

3-8. Procedures for initiating requests. a. Individuals authorized to initiate request. Any member of the ARNGUS or USAR who has been alerted for or ordered to involuntary active duty either as a member of a unit or as an individual.

b. To whom submitted.

(1) ARNGUS personnel. Application will be submitted to member's unit commander who will immediately forward it, together with applicant's records, to the appropriate State adjutant general.

(2) USAR personnel. Applications initiated by USAR members will be submitted as follows:

(a) ROTC officers will submit their applications direct to the CONUS army commander, oversea commander, or CO, USARCPC under whose jurisdiction they are assigned for control.

(b) A member of the USAR unit will submit his application to his unit commander who will immediately forward it, together with the member's records, to the appropriate area commander.

(c) A nonunit member, except as provided in (a) above, will submit his request to the oversea commander or CO, USAAC under whose jurisdiction he has been assigned for control.

3-9. Requests for delay or exemption. All requests for delay or exemption will be submitted in letter form, furnishing the reasons for such request, together with the appropriate information, documentary evidence, and other statements, as prescribed in this paragraph.

a. Requests for delay. Any member applying for delay on the basis of extreme personal or com-

munity hardship must include in his application the following:

(1) Documentary evidence of such hardship condition; and

(2) Date of inception of the hardship condition.

b. Requests for exemption. Request for exemption will include, in addition to the information required to determine eligibility for transfer, the appropriate information prescribed in (1) or (2) below, dependent upon the basis for such request. All requests must be accompanied by a "Statement of Understanding and Request for Discharge" (fig 3-1).

(1) All applications submitted on the basis of extreme personal or community hardship will include the documentary evidence and other information prescribed in a (1) and (2) above.

(2) Applications submitted by Ready Reserve members, not in a drill pay status, on the basis of eligibility for transfer to the Standby Reserve under AR 135-133 or NGR 26, will include the information outlined in (a) or (b) below, whichever is appropriate.

(a) If timely request for transfer was made prior to date of alert or order to active duty, furnish evidence of such request to include the date thereof, or reference to such evidence, if not available.

(b) When timely request for transfer was not submitted prior to date of alert or order to active duty, present good and sufficient reason(s) for not having made a timely request.

SUBJECT: Statement of Understanding and Request for Discharge.

I understand that if my request for exemption is approved, I will be discharged from my status as a Reserve of the Army, unless I elect and am eligible for transfer to the Retired Reserve. I further understand that I may, if obligated, be transferred to the Standby Reserve in lieu of discharge and be retained therein for availability for mobilization at such time as the reason for my exemption no longer exists. I also understand that if I am transferred to the Standby Reserve I will not be permitted to participate in any Reserve training whereby I may be eligible to earn retirement points or to receive Federal pay, until such time as I have performed active duty, other than for training, subsequent to the transfer to the Standby Reserve.

I hereby request discharge from my status as a Reserve of the Army, if such discharge is considered to be appropriate as a condition to my being granted an exemption from involuntary active duty. If I am eligible for transfer to the Retired Reserve, I elect such transfer in lieu of discharge.

(Signature) (Grade) (ASN)

(Social Security Account Number) (Date)

Figure 3-1.

3-10. Availability of records. It is important that all personnel records pertinent to the proper evaluation of an application for delay or exemption are available. Therefore—

a. Unit custodians will forward all pertinent records, together with the application, to the appropriate headquarters authorized to grant delays and exemptions,

b. Records will be returned to the proper custodian immediately upon completion of the evaluation.

3-11. Action on requests for delay or exemptions. *a.* Requests will be considered only upon written application submitted by the member concerned. Requests which do not contain the complete information, documentary evidence, and other required data will be returned to the individual with specific indication of the additional information desired.

★*b.* In those exceptional cases when requests from members for delay in excess of 60 days are recommended for approval by the appropriate commander, such requests will be forwarded as follows:

(1) Area commanders and CO, USAAC will forward such requests to CO, USARCP, ATTN: RCPA.

(2) State adjutants general will forward such requests to Chief, NGB ATTN: ARP.

★(3) In the case of medical and dental officers allocated to the Department of the Army by Selective Service under the provisions of AR 601-54, such requests will be forwarded to The Surgeon General, ATTN: MEDPT-MP, Department of the Army, Washington, D.C. 20315.

c. Request for delay or exemption submitted on the basis of extreme personal or community hardship—

(1) *May be considered* when the extreme personal or community hardship condition occurs not more than 6 months prior to receipt of alert or active duty orders.

(2) *May not be considered* when such hardship condition existed at the time applicant submitted DA Form 1140 (Army Reserve Qualification Questionnaire) or DA Form 1140-1 (Army Reserve Status Verification Questionnaire) as prescribed in AR 140-25, whichever is the more recent, and applicant failed to request transfer from the Ready Reserve by reason of hardship.

3-12. Boards of officers. In considering requests for exemption, boards of officers will be governed by the policies and instructions outlined below.

a. General.

(1) Members of the Ready Reserve whose request for exemptions are approved are required to be removed from the Ready Reserve under provisions of AR 135-133. Disposition of such individuals will be in accordance with (*a*) or (*b*) below, whichever is appropriate.

(*a*) Nonobligated members will be discharged from their status as Reserves of the Army unless they are eligible for, and elect transfer to, the Retired Reserve.

(*b*) Obligated members will be either—

1. Discharged from their status as Reserves of the Army; or

2. Transferred to the Standby Reserve and assigned to a USAR Control Group (Ineligibles).

(2) Obligated members who are transferred to the Standby Reserve by reason of being exempted from involuntary active duty and subsequently assigned to a USAR Control Group (Ineligibles) *will not be permitted* to participate in any Reserve training for which they may earn retirement points or be entitled to receive pay from Federal funds, until they have served in the active military service, other than for training, subsequent to transfer to the Standby Reserve.

b. Delay in lieu of exemption. When, in the opinion of the board of officers, the circumstances surrounding the request for exemption because of personal or community hardship warrants delay rather than exemption, the board will recommend that the applicant be authorized delay.

c. Recommendations.

(1) When the board of officers recommends approval of an applicant's request for exemption, the board must also include an appropriate recommendation for the removal of applicant from a Ready Reserve status either by discharge or transfer, as outlined in *a* above, subject to the provisions of (2) below.

(2) In the case of an obligated member, the board will recommend discharge of the applicant *only in those instances wherein it is determined* that the member's retention in the Reserve is not in the best interests of the service.

3-13. Final actions by the State adjutants general. The appropriate State adjutant general will

- (c) Submit application within the time frames set forth in paragraph 2-4b(5).

2-6. Category B. a. Definition. Category B is an officer who has obtained an academic degree in pharmacy or a specialty allied to medicine and must obtain professional license to perform in his branch and specialty.

b. Jurisdictional control. Category B officers will be transferred to the jurisdictional control of the CO, USARCP in the same manner prescribed in paragraph 2-5b.

c. Period of delay. Delay will not exceed 1 year. Renewal of Category B delay is not authorized.

2-7. Category C. a. Definition. Category C is an officer who would suffer extreme personal or community hardship (para 2-4b) as a result of entry on active duty at the normally scheduled time.

b. Jurisdictional control. Category C officers will remain under the jurisdictional control of the commander approving the delay until they enter on initial tour of active duty or are screened to the Standby Reserve, unless sooner separated.

c. Period of delay.

- (1) Delay is authorized for a period not to exceed 6 months when the hardship is of a temporary nature and can be alleviated within the period prescribed. Requests for renewal of delay not to exceed 6 additional months may be approved as exception to policy only at Headquarters, Department of the Army.

- (2) Delay is not authorized when the hardship condition appears to be of long duration (normally in excess of 1 year) and cannot be alleviated by a temporary delay. Under these circumstances, action will be taken to screen the officer from the Ready to the Standby Reserve in accordance with AR 135-133.

2-8. Category D. a. Definition. Category D is an officer who—

- (1) Desires to avail himself of the opportunity for seasonal or initial employment, or,
- (2) Has obtained a degree in a professional field, other than in the fields of medicine, dentistry, or veterinary medicine, and who is required to undergo State examination for licensing of certification in his professional field.

b. Jurisdictional control. Category D officers will remain under the jurisdictional control of the commander approving the delay until they enter on active duty or are sooner separated.

c. Period of delay. Delay may be granted not to exceed 6 months from date of graduation and appointment or upon termination of current delay, whichever is the later date. Renewal of Category D delay is not authorized.

2-9. Category X. Category X is an officer whose Category A, B, C, or D delay has terminated but the officer will not enter on active duty with EDCA during the same month in which his delay terminated. This is an administrative delay category to be used solely for accounting purposes.

Section III. PROCEDURES

2-10. General. a. Officers commissioned through the ROTC program each year normally are scheduled for their initial period of active duty or ACDUTRA during the fiscal year following their appointment. A target date of 1 March is established at the date for the issuance of letters of notification to those officers

scheduled for active duty upon their graduation and commissioning in May or June of that year. Those officers not selected for active duty will be scheduled for ACDUTRA within the period outlined above.

b. To assist in planning active duty schedules and to preclude the unnecessary issuance of let-

ters of active duty notifications, cadets planning to request delay from entry on active duty must indicate their intent as follows:

- (1) Cadets who wish to apply for Category A delay will indicate their intent in Item 17, DA Form 1809 (ROTC Graduate Branch Selection Record) prepared in accordance with AR 145-133. The cadet's graduate degree objective and major field of study will be entered in Item 18 "Remarks" on the DA Form 1809.
- (2) Cadets wishing to apply for Category B, C, or D delay who do not have sufficient basis at the time of submission of DA Form 1809 to submit a formal request for such delay as set forth in paragraph 2-13a(2) will—
 - (a) Submit, 180 days prior to date of graduation and commissioning, a letter indicating intent to apply for delay.
 - (b) Submit the letter to the appropriate area commander.

c. Information reported in items 17 and 18, DA Form 1809 and/or contained in the letter of intent to request delay is informative only and will be used at area command headquarters to assist in planning active duty schedules. Approval or disapproval of a request for delay will be based upon information contained on the DA Form 591 or formal letter request prepared in accordance with paragraph 2-13.

2-11. Responsibilities. a. The area commander exercising appointment authority over ROTC graduates under AR 145-100 is responsible for the actions prescribed below, until such time as the officer enters on his initial tour of active duty; or he is granted a Category A or B delay and he is transferred to the jurisdictional control of the CO, USARCP; or he is screened to the Standby Reserve; or he is sooner separated.

- (1) Maintaining control over the officer, his personnel records and for strength accountability.

- (2) Processing all requests for initial delay and making final decisions thereon.
- (3) Notifying applicants of decisions on requests for initial delay.
- (4) Advising applicants whose initial delay has been approved of their responsibility to report any change which may influence the continuation of their delay to the area command headquarters or to the CO, USARCP, as appropriate. The following are some of the conditions which are required to be reported:
 - (a) Failure to continue the education for which delay was granted.
 - (b) A move or transfer from the educational institution.
 - (c) Deviation from field of study.
 - (d) Change from full-time to part-time study.
 - (e) Unsatisfactory grades.
 - (f) Upon attaining post graduate degree.
 - (g) When conditions for delay no longer exist.
- (5) Advising applicants whose Category A delay has been approved that requests for renewal of delay must be submitted in the manner and within the time frame established in paragraph 2-13b(1)(d).
- (6) Insuring that officers retained under their jurisdictional control are scheduled for active duty or ACDUTRA, as appropriate, as soon as possible under termination of delay.
- (7) Publishing orders, as required, detailing officers granted initial Category A delay to pursue subjects identified by the following codes in AR 330-330 to MSC branch prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCP:
 - 203—Entomology
 - 205—Parasitology, General
 - 208—Medical Microbiology
 - 420—Public Health Sanitary Engineer

All codes in the Medical Sciences Grouping listed in AR 330-330.

- (8) Publishing orders, as required, detailing officers granted initial Category A delay to pursue study in religion—Theology, subject code 114 (AR 330-330) to Staff Specialist Branch MOS 0001 prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCPC.
- (9) Publishing orders, as required, detailing officer specifically selected by The Judge Advocate General, Headquarters, Department of the Army (AR 601-107) for initial Category A delay to pursue study in General Law, subject code 599 (AR 330-330) to JAGC Branch prior to transfer of the officer to USAR Control Group (Officer Active Duty Obligor), USARCPC.

b. The CO, USARCPC is responsible for the actions set forth below until such time as officers under his jurisdictional control enter on active duty or ACDUTRA, or are screened to the Standby Reserve, or are sooner separated.

- (1) Maintaining control over the officer, his Military Personnel Records Jacket, U.S. Army (DA Form 201), and for strength accountability.
- (2) Furnishing officers necessary forms and instructions for applying for renewal of delay not later than 150 days prior to termination of current delay, and for making final decisions on such requests.
- (3) Notifying applicants of decisions on delay requests.
- (4) Advising the applicant of continued responsibility, as set forth in a(4) above, when delay request is approved.
- (5) Insuring that officers are scheduled for active duty or ACDUTRA as soon as possible upon termination of their delay.

2-12. Reserve participation. Officers granted delay from entry on initial tour of active duty are neither required nor authorized to participate in Reserve activities, except that offi-

cers detailed Staff Specialist may participate in the education and training programs set forth in AR 135-318 for members assigned to Staff Specialist Branch (Divinity Student) MOS 0001. Applications for such training must be submitted under the provisions of AR 135-318 to CO, USARCPC, ATTN: RCPO at least 60 days prior to the training date requested.

2-13. Applications for initial delay or renewal of delay. a. *Applications for initial delay.* Applications must be submitted in three copies as follows:

(1) *Category A.*

- (a) Submitted by applicant on DA Form 591. Applicant is responsible for submitting the DA Form 591 to the appropriate institution official for verification of enrollment or acceptance for enrollment.
- (b) DA Form 591 must be accompanied by DA Form 591A, DA Form 591B, or DA Form 591C, as appropriate (para 2-4b(5)).
- (c) DA Form 591 with inclosure will be submitted to the appropriate area commander.
- (d) Application must be submitted not later than 120 days prior to the date upon which the individual is scheduled to graduate and be appointed.

(2) *Category B, C, or D.*

- (a) Applications for Category B, C, or D delay will be submitted in letter form in accordance with the format shown in figure 2-1.
- (b) Applications for Category C delay must be accompanied by documentary evidence substantiating hardship conditions.
- (c) Applications for Category D delay based upon initial employment must be accompanied by specific information from the employer. This information must include the general nature of the training program into which the individual will enter upon his employment; the beginning and ending dates of the training course

or cycle for which he is scheduled; verification that the training program for which he would be scheduled with subsequent employment will not be available upon his relief from active duty; and, that completion of the training at this time will insure reemployment with the organization upon his relief from active duty.

- (d) Applications for Category B or D delay must be submitted not later than 120 days prior to the date upon which the individual is scheduled to graduate and be appointed.
- (e) Applications for Category C delay will be submitted immediately upon the occurrence of the situation which warrants delay.
- (f) All applications will be submitted to the appropriate area commander.

b. Applications for renewal of delay. Applications must be submitted in three copies as follows:

(1) *Category A.*

- (a) Submitted by the officer on a form prescribed and furnished from the CO, USARCPC.
- (b) Officer is responsible for submitting the renewal request to the appropriate institution official for verification of continued enrollment.
- (c) Application for renewal of delay will be submitted to CO, USARCPC.
- (d) Application for renewal of delay must be submitted not later than 120 days prior to the date upon which current delay is scheduled to terminate.

(2) *Category B.*

- (a) Applications for renewal of Category B delay submitted as excep-

tions to policy will be prepared by the officer in letter format.

- (b) Officer is responsible for including substantiating documentation necessary to support his request.
- (c) Applications for renewal of delay will be submitted to the area commander or CO, USARCPC, whichever has jurisdictional control over the officer.

c. Disposition of delay requests. Applications for initial delay or renewal or delay on which final action has been taken will be distributed and filed as follows:

- (1) Original—To be filed in applicant's Official Military Personnel File.
- (2) Copy—To be filed in applicant's Military Personnel Records Jacket, U.S. Army (DA Form 201).
- (3) Copy—To be returned to applicant.

2-14. Personnel records. *a.* Area commanders accomplishing appointment of ROTC graduates are responsible for initiating personnel records as prescribed in AR 145-10.

b. Personnel records of officers remaining under the jurisdictional control of area commanders pending entry on initial tour of active duty or ACDUTRA will be forwarded as prescribed in AR 145-100.

c. Personnel records of officers transferred to USAR Control Group (Officer Active Duty Obligor) will be forwarded as follows at the time of transfer:

- (1) Official Military Personnel File will be forwarded to the U.S. Army Administration Center.
- (2) Military Personnel Records Jacket, U.S. Army will be forwarded to the U.S. Army Reserve Components Personnel Center.

NGUS or USAR unit commanders or individual members of the USAF that orders to active duty are pending for the unit or the member. Such communication normally will indicate the effective date of the orders; the mobilization station to which the unit or individual member will be ordered for final type processing; and such other basic data as deemed necessary by the issuing authority.

c. Appeal. The request made by a member for reconsideration of a decision denying a request for delay or exemption from involuntary order to active duty.

d. Delay. The postponement of either the date the member is available to report for his active duty tour or the reporting date specified in his orders to active duty.

e. Exemption. Total relief from the requirement to report for his active duty tour or the reporting date specified in his orders to active duty.

f. Full-time course of instructions. A full-time schedule prescribed for a resident student consisting of not less than 9 semester hours of graduate studies, exclusive of enrollment in night school or extension courses; or, in accordance with the regulations of the institution of higher education, appropriate certification of full-time course of instruction, whichever of the above involves the lesser academic requirement.

g. Graduate studies. Studies on a graduate level, being pursued by a student subsequent to his attainment of a baccalaureate or first degree.

h. Institution of higher education. An institution of higher education is defined as follows:

- (1) An educational institution, located within CONUS, listed in Part 3, The Education Directory, Higher Education, published annually by the Office of Education, Department of Health, Education, and Welfare.
- (2) A recognized degree granting educational institution, located outside CONUS, listed in one of the following publications (these publications may be purchased from the American

Council on Education, Publications Division, 1785 Massachusetts Avenue N.W., Washington, D.C. 20036):

- (a) International Handbook of Universities, current edition, published by the International Association of Universities in Paris.
 - (b) Commonwealth Universities Yearbook, published annually by the Association of Universities of the British Commonwealth, London.
- (3) As exceptions to (1) and (2) above:
- (a) An approved medical school is a school of medicine located in CONUS, Hawaii, Alaska, Puerto Rico, or Canada which is listed as approved by the Council On Medical Education of The American Medical Association.
 - (b) An approved school of osteopathy is a school of osteopathy located in CONUS which is listed as approved by the American Osteopathic Association.
 - (c) An approved dental school is a school of dentistry located in CONUS, Hawaii, Alaska, Puerto Rico, or Canada listed as approved by the American Dental Association.
 - (d) An approved veterinary school is a school of veterinary medicine located in CONUS, Hawaii, Alaska, or Canada accredited by the American Veterinary Medical Association.
 - (e) For the purpose of religious training, an approved school is a theological school accepted as a member of the American Association of Theological Schools; or a Theological School which is a component part of a college or university listed in part 3, The Education Directory, Higher Education, as accredited by one of the six regional accrediting associations.

i. Member. A commissioned officer, warrant officer, or enlisted person in the Ready Reserve

either as a unit member or as an individual member.

j. ROTC officer. An officer commissioned through the ROTC program who has not performed his initial period of active duty or active duty for training in accordance with the agreement executed by him while enrolled in the ROTC program.

k. Seasonal employment. Employment which is not continuously active or not at peak operation during the whole of a calendar year and which will not be available to an ROTC officer if he is scheduled to enter on active duty during the 6-month period immediately following graduation and appointment or termination date of current delay status, whichever date is the later.

l. Initial employment. Employment that is offered or accepted by an individual immediately subsequent to attainment of an educational degree and the employer has certified that the individual must accept the position and undergo training to insure reemployment upon completion of active duty. Such employment would not be available to the individual if required to enter upon active duty during the 6-month period immediately following graduation and appointment or termination date of current delay status, whichever date is the later.

m. Extreme personal hardship. Conditions under which the reservist's entry on active duty would have a substantial adverse effect upon member(s) of the reservist's family.

n. Members of immediate family. Normally, members of the immediate family will include the following:

- (1) Spouse, divorced spouse, legitimate or illegitimate child, legally adopted child, stepchild, foster child, parent, grandparent, brother, or sister; or
- (2) A person under 18 years of age, or a person of any age who is physically or mentally handicapped, whose support the reservist has assumed in good faith.

1-12. Criteria for hardship conditions. a. Extreme personal hardship.

(1) *Illness of a member of immediate family.* When, in the opinion of the attending physician, the illness of the member is such that—

- (a) Fatality appears to be imminent; or,
- (b) Presence of the reservist is an important factor in the recovery of the patient and his immediate departure would have a serious effect upon the patient.

(2) *Financial or domestic hardship.* Financial or domestic hardship conditions do not exist solely because of altered income, or because the reservist is separated from his family, or because the family must suffer the inconveniences normally incident to military service. In general, this requirement will be met only when both of the following conditions are determined to exist:

- (a) Members of the immediate family are dependent upon the reservist for support; and
- (b) Presence of the reservist is the only readily available means of eliminating or materially alleviating the hardship condition.

b. Extreme community hardship. In general, this requirement will be met only when all of the following conditions are determined to exist:

- (1) The service performed by the reservist is essential to the maintenance of health, safety, or welfare of his community.
- (2) The service cannot be performed by other persons residing in the area concerned.
- (3) The reservist cannot be replaced in the community by another person who can perform such services.

CHAPTER 3

**READY RESERVISTS—DELAY IN REPORTING FOR OR
EXEMPTION FROM INVOLUNTARY ORDER TO ACTIVE DUTY**

Section I. GENERAL

3-1. Scope. *a.* The provisions of this chapter become effective when units and individual members of the Ready Reserve are being involuntarily ordered to active duty pursuant to law.

b. Delay or exemption from involuntary active duty may be authorized members of the Ready Reserve only under the conditions outlined in this chapter, except as otherwise provided in *c* below.

c. Headquarters, Department of the Army, may issue separate instructions authorizing delays or exemptions under conditions other than those outlined in this chapter, when in the national interest, *dependent upon the circumstances and subject to the needs of the military service at the time involuntary order to active duty is authorized.*

3-2. Delay and exemption policies. *a. Special registrants.* Medical, dental, veterinary, and allied medical science registrants allocated to the Department of the Army by Selective Service System through special calls have been determined by Selective Service to be available for immediate active duty. These registrants are processed for a commission and active duty pursuant to AR 601-54.

- (1) Registrants who request delay or exemption prior to executing an oath of office as a commissioned officer will be advised that they are under the jurisdiction of Selective Service and such requests should be submitted concurrently to their local draft board

and to the appropriate State Director of Selective Service.

- (2) Delay or exemption of registrants who have executed an oath of office as a commissioned officer is authorized only when it can be demonstrated that an extreme personal or community hardship has developed since the oath of office was executed.

b. Other members of the Ready Reserve. Members of the Ready Reserve, other than those described in *a* above, may be granted a delay in reporting for active duty or exemption from active duty, under the conditions outlined below:

- (1) *High school students.* Any member of the Ready Reserve who is a high school student on the date he or his unit of assignment is alerted for or ordered to active duty will be delayed from entry on involuntary order to active duty until such time as he ceases to pursue such course satisfactorily, graduates, or attains age 20, whichever occurs first.
- (2) *Ready reservists in a drill pay status.* Delay or exemption is authorized for Ready reservists who are in a drill pay status, other than high school students, only in exceptional cases when the involuntary order to active duty will result in extreme personal or community hardship (para 1-12).
- (3) *All other Ready reservists.* Delay or exemption of all Ready reservists,

other than those described in (1) and (2) above, is authorized in accordance with either of the following criteria:

- (a) In exceptional cases when the involuntary order to active duty will result in an extreme personal or community hardship (para 1-12); or
- (b) If the circumstances would qualify the member for removal from the Ready Reserve under AR 135-133 or NGR 26, either by transfer to the Standby Reserve, discharge, or other appropriate action; and they either—
 1. Requested removal from the Ready Reserve before receiving first notice of alert, either by receipt of orders for active duty or by other means of notification; or
 2. Have good and sufficient reason for not having submitted a timely request for removal from the Ready Reserve.

3-3. Period of delay. *a.* Commanders responsible for delay and examination procedures are authorized to grant delays for the periods prescribed below:

- (1) Normally, period of delay should not exceed 30 days from the date on which the reservist is initially designated to report for active duty. However, if the merits of the case so warrant, delay may be authorized not to exceed a maximum of 60 days from date of initial designated reporting date.
- (2) Within the limitations imposed in (1) above, in those instances wherein a final determination cannot be made on application for delay or exemption, a temporary delay may be authorized pending final action on such application.

b. Delays in excess of the periods prescribed in *a* above may be granted by Headquarters, Department of the Army, under the conditions outlined in paragraph 3-11*b*.

Section II. RESPONSIBILITIES

3-4. General instructions. *a. Requirement for a board of officers.* Each headquarters charged with administrative delay or exemption procedures will convene a board of at least three officers to consider applications for delay or exemption from involuntary order to active duty, except as otherwise provided in *b* below. At least one member of the board will be a Medical Corps officer when requests submitted by Army Medical Service personnel for delay for community hardship are being considered.

b. Exceptions. Members of the Ready Reserve who are students in high school and who have not reached the age of 20 will be granted delay from entry on involuntary order to active duty, based upon their request, and documentary evidence of their student status.

3-5. Responsibility for granting delays and exemptions. Except as otherwise provided in this regulation, responsibility for granting

delays and exemptions is assigned to the following:

a. Area commanders are responsible for the determination on all requests for delay and exemption submitted by ROTC officers under their immediate jurisdictional control (ch 2), except that the discharge of such officers as a result of approved exemptions will not be accomplished without prior approval from Headquarters, Department of the Army. Such recommendations will be forwarded with board proceedings to the CO, USARCPC for final determination.

b. The adjutant general of each State, Commonwealth of Puerto Rico, and the District of Columbia, is responsible for the determination on all requests for delays and exemptions submitted by ARNGUS members within his jurisdiction.

c. Area commanders and the CO, USAAC are responsible for determination on all requests

for delay and exemptions submitted by USAR members under their immediate jurisdictional control, except that the discharge of obligated officers as a result of approved exemptions will not be accomplished without prior approval from Headquarters, Department of the Army. Such recommendations will be forwarded with board proceedings to the CO, USARCPC for final determination.

3-6. Responsibility for considering appeals.

a. The commander of a CONUS army or oversea command is responsible for making final decisions on all appeals for reconsideration of a denial of requests submitted by members of the USAR under their immediate jurisdictional control.

b. The adjutant general of each State, Commonwealth of Puerto Rico, or the District of Columbia, is responsible for rendering a deci-

sion on all appeals for reconsideration of a denial of requests submitted by members of the ARNGUS.

c. The Commanding Officer, U.S. Army Reserve Components Personnel Center is responsible for final decisions on all appeals for reconsideration of a denial of requests submitted by members of the USAR under the jurisdictional control of the CO, USAAC.

3-7. Discharge provisions. Except as otherwise provided in this regulation, when the board of officers, in considering an applicant's request for exemption from involuntary active duty and discharge from his status as a Reserve of the Army, recommends approval of the request, the member will be discharged in accordance with paragraph 3-13 or 3-14, when his request has been approved by appropriate authority.

Section III. PROCEDURES

3-8. Procedures for initiating requests. a. *Individuals authorized to initiate request.* Any member of the ARNGUS or USAR who has been alerted for or ordered to involuntary active duty either as a member of a unit or as an individual.

b. *To whom submitted.*

- (1) *ARNGUS personnel.* Application will be submitted to member's unit commander who will immediately forward it, together with applicant's records, to the appropriate State adjutant general.
- (2) *USAR personnel.* Applications initiated by USAR members will be submitted as follows:
 - (a) ROTC officers will submit their applications direct to the CONUS army commander, oversea commander, or CO, USARCPC under whose jurisdiction they are assigned for control.
 - (b) A member of the USAR unit will submit his application to his unit commander who will immediately forward it, together with the mem-

ber's records, to the appropriate area commander.

- (c) A nonunit member, except as provided in (a) above, will submit his request to the oversea commander or CO, USAAC under whose jurisdiction he has been assigned for control.

3-9. Requests for delay or exemption. All requests for delay or exemption will be submitted in letter form, furnishing the reasons for such request, together with the appropriate information, documentary evidence, and other statements, as prescribed in this paragraph.

a. *Requests for delay.* Any member applying for delay on the basis of extreme personal or community hardship must include in his application the following:

- (1) Documentary evidence of such hardship condition; and
- (2) Date of inception of the hardship condition.

b. *Requests for exemption.* Request for exemption will include, in addition to the in-

formation required to determine eligibility for transfer, the appropriate information prescribed in (1) or (2) below, dependent upon the basis for such request. All requests must be accompanied by a "Statement of Understanding and Request for Discharge" (fig. 3-1).

- (1) All applications submitted on the basis of extreme personal or community hardship will include the documentary evidence and other information prescribed in a(1) and (2) above.
- (2) Applications submitted by Ready Reserve members, not in a drill pay status, on the basis of eligibility for transfer to the Standby Reserve under

AR 135-133 or NGR 26, will include the information outlined in (a) or (b) below, whichever is appropriate.

- (a) If timely request for transfer was made prior to date of alert or order to active duty, furnish evidence of such request to include the date thereof, or reference to such evidence, if not available.
- (b) When timely request for transfer was not submitted prior to date of alert or order to active duty, present good and sufficient reason(s) for not having made a timely request.

SUBJECT: Statement of Understanding and Request for Discharge.

I understand that if my request for exemption is approved, I will be discharged from my status as a Reserve of the Army, unless I elect and am eligible for transfer to the Retired Reserve. I further understand that I may, if obligated, be transferred to the Standby Reserve in lieu of discharge and be retained therein for availability for mobilization at such time as the reason for my exemption no longer exists. I also understand that if I am transferred to the Standby Reserve I will not be permitted to participate in any Reserve training whereby I may be eligible to earn retirement points or to receive Federal pay, until such time as I have performed active duty, other than for training, subsequent to the transfer to the Standby Reserve.

I hereby request discharge from my status as a Reserve of the Army, if such discharge is considered to be appropriate as a condition to my being granted an exemption from involuntary active duty. If I am eligible for transfer to the Retired Reserve, I elect such transfer in lieu of discharge.

| | | |
|---|------------------|----------------|
| ----- (Signature) | ----- (Grade) | ----- (ASN) |
| ----- (Social Security Account Number) | ----- (Date) | |

Figure 3-1.

3-10. Availability of records. It is important that all personnel records pertinent to the proper evaluation of an application for delay or exemption are available. Therefore—

a. Unit custodians will forward all pertinent records, together with the application, to the appropriate headquarters authorized to grant delays and exemptions,

b. Records will be returned to the proper custodian immediately upon completion of the evaluation.

3-11. Action on requests for delay or exemptions. a. Requests will be considered only upon written application submitted by the member

concerned. Requests which do not contain the complete information, documentary evidence, and other required data will be returned to the individual with specific indication of the additional information desired.

b. In those exceptional cases when requests of members for delay in excess of 60 days are recommended for approval by the appropriate commander, such requests will be forwarded to the Commanding Officer, U.S. Army Reserve Components Personnel Center, ATTN: RCPA, Fort Benjamin Harrison, Indianapolis, Ind. 46249, except for those Medical and Dental officers allocated to the Department of the Army by Selective Service System under the provisions of AR 601-54, in which case requests

will be submitted to The Surgeon General, ATTN: MEDPT-MP, Department of the Army, Washington, D.C. 20315.

c. Requests for delay or exemption submitted on the basis of extreme personal or community hardship—

- (1) *May be considered* when the extreme personal or community hardship condition occurs not more than 6 months prior to receipt of alert or active duty orders.
- (2) *May not be considered* when such hardship condition existed at the time applicant submitted DA Form 1140 (Army Reserve Qualification Questionnaire) or DA Form 1140-1 (Army Reserve Status Verification Questionnaire) as prescribed in AR 140-25, whichever is the more recent, and applicant failed to request transfer from the Ready Reserve by reason of hardship.

3-12. Boards of officers. In considering requests for exemption, boards of officers will be governed by the policies and instructions outlined below.

a. *General.*

- (1) Members of the Ready Reserve whose request for exemptions are approved are required to be removed from the Ready Reserve under provisions of AR 135-133. Disposition of such individuals will be in accordance with (a) or (b) below, whichever is appropriate.
 - (a) Nonobligated members will be discharged from their status as Reserves of the Army unless they are eligible for, and elect transfer to, the Retired Reserve.
 - (b) Obligated members will be either—
 1. Discharged from their status as Reserves of the Army; or
 2. Transferred to the Standby Reserve and assigned to a USAR Control Group (Ineligibles).
- (2) Obligated members who are trans-

ferred to the Standby Reserve by reason of being exempted from involuntary active duty and subsequently assigned to a USAR Control Group (Ineligibles) *will not be permitted* to participate in any Reserve training for which they may earn retirement points or be entitled to receive pay from Federal funds, until they have served in the active military service, other than for training, subsequent to transfer to the Standby Reserve.

b. *Delay in lieu of exemption.* When, in the opinion of the board of officers, the circumstances surrounding the request for exemption because of personal or community hardship warrants delay rather than exemption, the board will recommend that the applicant be authorized delay.

c. *Recommendations.*

- (1) When the board of officers recommends approval of an applicant's request for exemption, the board must also include an appropriate recommendation for the removal of applicant from a Ready Reserve status either by discharge or transfer, as outlined in a above, subject to the provisions of (2) below.
- (2) In the case of an obligated member, the board will recommend discharge of the applicant *only in those instances wherein it is determined* that the member's retention in the Reserve is not in the best interests of the service.

3-13. Final actions by the State adjutants general. The appropriate State adjutant general will insure that the final actions outlined below are taken on requests for delay and exemption submitted by members of the ARN-GUS under his jurisdiction.

a. The member is notified of the decision on his application for delay or exemption.

b. When the request is denied, notify the member of such denial and reason therefor, together with his right to appeal such decision.

c. When, based upon the recommendations of a board of officers, the member's request for exemption is approved and the individual is separated from the Army National Guard under the provisions of NGR 20-4 or NGR 25-3, the following appropriate actions will be taken:

- (1) When separation from the Army National Guard of the State is based upon the approved recommendations of a board that the member's request for discharge from his status as a Reserve of the Army be accepted—
 - (a) An enlisted member will be concurrently discharged from his enlistment as a Reserve of the Army.
 - (b) In the case of an officer, a signed copy of the officer's request for discharge as a Reserve of the Army and acceptance of his request for discharge from his Army National Guard status will be forwarded to the CO, USAAC with pertinent records in accordance with NGR 20-4.
- (2) When the board recommends the individual be retained and separation is effected from the Army National Guard only, a copy of the orders directing the discharge of the member from his Army National Guard status and assignment to the Army Reserve together with pertinent records will be forwarded to the CO, USAAC.

3-14. Action by area commanders and CO, USAAC, and CO, USARPC. The commander having responsibility for the administration of delay and exemption procedures over USAR members under their jurisdictional control will take the actions outlined below on requests for delay or exemption submitted by such members.

a. Notify the reservist of the decision rendered on request for delay or exemption.

b. When the request is denied, notify the member of such denial and reason therefor, together with his right to appeal such decision.

c. When, based upon the recommendations of a board, the member's request for exemption

is approved, the following appropriate action will be taken concurrent with granting the exemption:

- (1) Except as provided in paragraphs 3-5a and b, accomplish the discharge of the member concerned from his status as a Reserve of the Army, provided such recommendation was made by the board.
- (2) Accomplish the transfer to the Standby Reserve and assignment to USAR Control Group (Standby—Ineligible) of the member concerned, when the board recommends such transfer in lieu of discharge action.

d. When requests for delay or exemptions are granted, appropriate orders will be issued in accordance with AR 310-10. Copies of such orders will be immediately transmitted to—

- (1) The member concerned.
- (2) The unit commander or records custodian in those instances of actions by Army commanders.

3-15. Appeals. a. *General.* Appeals for reconsideration of denial of requested delay or exemption may be considered when the member can furnish additional evidence which may warrant further review of his original request. When the basis of the appeal is for reasons other than furnished in the original request, such requests will be processed as an initial request for delay or exemption.

b. *How submitted.* Applications for appeals will be submitted in accordance with instructions provided in this regulation for initial requests for delays and for exemptions. The request for appeal will contain the reason for such appeal and will be accompanied by the additional evidence which is the basis for the appeal.

c. *Channels for appeal.*

- (1) *Members of the ARNGUS:* ARNGUS members will submit their requests for appeals to the commander of the unit of assignment, who in turn will forward the request together with all

pertinent records direct to the appropriate State adjutant general.

(2) *Members of the USAR.*

(a) *ROTC officers.* ROTC officers will submit their appeals direct to the appropriate CONUS army or over-sea commander or CO, USAAC whichever has jurisdictional control over the officer concerned. CO, USAAC will forward such appeals together with pertinent records to the CO, USARCPC for final determination.

(b) *Other members of the USAR.*

1. Members assigned to USAR units will submit their appeals to their unit commander. The unit commander will forward appeals together with all pertinent records to the appropriate area commander for final determination.
2. Members not assigned to units will forward their appeals to the over-sea commander or CO, USAAC

whichever has jurisdictional control over the member concerned. Appeals submitted to the CO, USAAC will be forwarded together with pertinent records to the CO, USARCPC for final determination.

3-16. Necessity for prompt action. *a.* All initial requests and appeals for delay or exemption will be acted upon with all possible promptness by every agency processing them. Every positive action will be taken to notify an applicant of final action as soon as possible and in all cases, if possible, prior to the date he must depart from his home to comply with orders. Telegraphic notifications will be used freely.

b. When the commander responsible for taking final action on such requests is unable to make a final determination of the case before the date the individual is to report for duty, he may, if he considers it appropriate, grant a temporary delay under provisions of paragraph 3-3a(2).

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