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Army Regulation 600-20

S/S

30 March 1988

Personnel—General

# Army Command Policy and Procedures

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Headquarters  
Department of the Army  
Washington, DC  
20 August 1986

# SUMMARY of CHANGE

AR 600-20  
Army Command Policy  
and Procedures

This revision--

- o Incorporates interim changes 1 through 6.
- o Outlines duties and responsibilities of the noncommissioned officer support channel (para 2-3)
- o Establishes criteria for fraternization cases, and changes criteria for relationships between superiors and subordinates (para 5-7).
- o Establishes new procedures for military personnel who refuse to submit to medical care (para 5-27).
- o Changes procedures for the computation of dates of rank (chap 6).

Effective 19 September 1986

Personnel—General

Army Command Policy and Procedures

This UPDATE printing publishes a revision which is effective 19 September 1986. Because the structure of the entire revised text has been reorganized, no attempt has been made to highlight changes from the earlier regulation dated 15 October 1980.

By Order of the Secretary of the Army:

JOHN A. WICKHAM, JR.  
General, United States Army  
Chief of Staff

Official:

R. L. DILWORTH  
Brigadier General, United States Army  
The Adjutant General

**Summary.** This regulation establishes procedures for determining grade structure and dates of rank of the United States Army. It prescribes policy on the basic aspects of command, military conduct and discipline, and enlisted aspects of command. It defines training responsibility of noncommissioned officers and provides guidance on pregnancy and dependent care counseling.

**Applicability.** This regulation applies to the Active Army, the U.S. Army Reserve, and the Army National Guard as modified by National Guard Regulation 600-4.

**Impact on New Manning System.** This regulation does not contain information that affects the New Manning System.

**Internal control systems.** This regulation is not subject to the requirements of

AR 11-2. It does not contain internal control provisions.

**Supplementation.** Supplementation of this regulation and establishment of forms other than DA forms are prohibited without prior approval from HQDA (DAPE-HRL), WASH DC 20310-0300.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested improvements.** The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and

suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-HRL), WASH DC 20310-0300.

**Distribution.** Distribution of this issue has been made in accordance with DA Form 12-9A-R requirements for 600-series publications. The number of copies distributed to a given subscriber is the number of copies requested in Block 382 of the subscriber's DA Form 12-9A-R. AR 600-20 distribution is A for Active Army, ARNG, and USAR. Future distribution of this publication will remain the same unless the Publications Account Officer adjusts the quantities using the enclosed subscription card.

**Contents** (Listed by paragraph number)

**Chapter 1**

**General**

- Purpose • 1-1
- References • 1-2
- Explanation of abbreviations and terms • 1-3
- Responsibilities • 1-4
- Command • 1-5
- Military rank • 1-6
- Precedence between members of the Army and other Services serving with the Army • 1-7
- Precedence between Foreign Service officers of the Department of State and officers of the Army • 1-8
- Precedence between members of the Army and members of Foreign Military Services serving with the Army • 1-9

**Chapter 2**

**Command and Other Channels**

- Chain of command • 2-1
- Staff or technical channels • 2-2

Noncommissioned officer (NCO) support channel • 2-3

**Chapter 3**

**Command Policies and Procedures**

- Command of installations, activities, and units • 3-1
- Specialty immaterial commands • 3-2
- Designation of junior in the same grade to command • 3-3
- Death, disability, retirement, reassignment, or absence of the commander • 3-4
- Absence or disability of all officers of a unit • 3-5
- Emergency command • 3-6
- Functions of an individual in temporary command • 3-7
- Responsibility of successor • 3-8
- Separate commands of the U.S. Army serving together • 3-9
- Separate commands of several military services of the United States serving together • 3-10
- Ineligibility for command of post or activity • 3-11

Restrictions • 3-12  
Relief for cause • 3-13

**Chapter 4**

**Enlisted Aspects of Command**

- General policy • 4-1
- Noncommissioned officers • 4-2
- Specialists • 4-3
- Privates • 4-4

**Chapter 5**

**Military Conduct and Discipline**

*Section I*

*General*

- Military discipline • 5-1
- Obedience to orders • 5-2
- Military courtesy • 5-3
- Conduct • 5-4
- Maintenance of order • 5-5
- Exercising military authority • 5-6
- Relationships of superiors toward subordinates • 5-7
- Disciplinary powers of the commanding officer • 5-8

\*This regulation supersedes AR 600-20, 15 October 1980.

## Contents—Continued

Private indebtedness and financial obligations • 5-9

Settlement of local accounts on change of station • 5-10

Civil status of members of the Reserve Components • 5-11

Release of personnel rosters, orders, or similar documents • 5-12

Congressional activities • 5-13

Publishing of articles • 5-14

Student officer studies • 5-15

Participation in support of civilian law enforcement agencies • 5-16

Participation in pageants and shows for civilian entertainment • 5-17

Membership campaigns • 5-18

### Section II

*Political Activities and Public Demonstrations*

General • 5-19

Political activities • 5-20

Participation in political meeting or rallies, picket lines, and public demonstrations • 5-21

Candidacy for elective office • 5-22

Prohibition against election or appointment to civil office • 5-23

### Section III

*Medical Care*

General • 5-24

Medical care performed with or without the member's permission • 5-25

Refusal to submit to medical care other than care described in paragraph 5-25 • 5-26

### Section IV

*Complaints or Accusations Against Military Personnel*

General • 5-27

Command responsibilities • 5-28

Filing • 5-29

### Section V

*Pregnancy and Dependent Care Counseling*  
Counseling procedures • 5-30

Procedures for completion of DA Form 5304-R and DA Form 5305-R • 5-31

Testing of family care plans • 5-32

### Section VI

*Accommodating Religious Practices*  
Policy • 5-33

Responsibilities • 5-34

Guidelines • 5-35

Processing requests for accommodations of religious practices • 5-36

Accommodation of religious worship practices • 5-37

Accommodation of religious dietary practices • 5-38

Accommodation of religious medical practices • 5-39

Accommodation of religious dress and appearance practices • 5-40

Exceptions to policy • 5-41

Recoupment of Federal funds • 5-42

## Chapter 6 Determination of Precedence and Date of Rank

### Section I

General • 6-1

Responsibilities • 6-2

### Section II

*Commissioned Officers*

Precedence or relative rank • 6-3

Procedure for determining DOR of Regular Army commissioned officers • 6-4

Procedures for determining DOR of OTRA 2LTs upon placement on the ADL • 6-5

Procedures for determining DOR of OTRA 1LTs and above upon placement on the ADL • 6-6

Grade and DOR of OTRA chaplains upon placement on the ADL • 6-7

Grade and DOR of OTRA commissioned officers assigned to an AMEDD Corps upon placement on the ADL • 6-8

Grade and DOR of OTRA Judge Advocate General's Corps (JAGC) officers upon placement on the ADL • 6-9

Other provisions concerning OTRA commissioned officers • 6-10

Procedure for determining DOR of officers not on the ADL • 6-11

### Section III

*Warrant Officers*

Precedence or relative rank • 6-12

### Section IV

*Interservice Transfers*

Precedence or relative rank for interservice transfers • 6-13

### Section V

*Enlisted Personnel*

Precedence or relative rank • 6-14

Date of rank • 6-15

## Appendixes

A. References

B. Examples of Types of Political Activity Permitted or Prohibited

C. Statutory Prohibitions Pertaining To Political Activity by Members of the Armed Forces

## Glossary

## Chapter 1 General

### 1-1. Purpose

This regulation prescribes policy and procedures on the basic aspects of command, military conduct and discipline, and the determination and precedence of rank.

### 1-2. References

Related publications are listed in appendix A.

### 1-3. Explanation of abbreviations and terms

Abbreviations and special terms are listed in the glossary.

### 1-4. Responsibilities

The Deputy Chief of Staff for Personnel (DCSPER) has Army General Staff responsibilities for the formulation, management, and evaluation of command policies, plans, and programs that relate to—

- Personnel distribution, to include grade and specialties.
- Assessment of human readiness.
- Discipline, law enforcement, correction, and apprehension.
- Leadership development.
- Professional military ethics.
- Religious accommodation.

### 1-5. Command

a. *Right to command.* Command is exercised by virtue of office and the special assignment of members of the Armed Forces holding military rank who are eligible to exercise command. The right to command is not limited solely by branch of Service except as set forth in chapter 3. A civilian may not exercise command. However, a civilian may be designated to exercise general supervision over an Army installation or activity under the command of a military superior.

b. *Elements of command.* The key elements of command addressed are authority and responsibility, rank and precedence, command and other channels, enlisted aspects of command, and military discipline. Additional guidance on these matters is covered by DA Pamphlet 310-1.

c. *Assignment and command.* Army members are assigned to stations where their services are required. The commanding officer assigns them appropriate duties. Without orders from proper authority, an Army member can only assume command when eligible according to chapter 3 of this regulation.

### 1-6. Military rank

a. Military rank is the relative position or degree of precedence granted military persons that marks their station. It confers eligibility to exercise command or authority in the military within limits prescribed by law. Rank in the military is divided into classes and grades shown in tables 1-1 and 1-2.

b. Table 1-1 shows the grades of rank in the Army in order of their precedence or

relative rank. It indicates the grouping of grades into classes, pay grades, titles of address, and abbreviations. Procedures for determining precedence and date of rank are shown in chapter 6.

c. The pay grade is an abbreviated numerical device with useful applications in pay management, personnel accounting, automated data organization, and other administrative fields. However, the pay grade alone is not to be used as a form of address or title in lieu of the proper title of address or grade of rank. When military personnel (chaplains excepted) are addressed or referred to, orally or in writing, the grade of rank or title of address will normally be used. (See table 1-1.) All chaplains are addressed as "Chaplain," regardless of military grade or professional title. When a chaplain is addressed in writing, grade is indicated in parentheses, e.g. Chaplain (Major) John E. Doe.

d. Rank is generally held by virtue of office or grade in the Army.

e. Conferring honorary titles of military rank upon civilians is prohibited. However, honorary titles already conferred will not be withdrawn.

### 1-7. Precedence between members of the Army and other Services serving with the Army

Members of other Services serving with the Army have equal status with Army members of equivalent grade of rank. (Comparable ranks among the Services are shown in table 1-2.)

### 1-8. Precedence between Foreign Service officers of the Department of State and officers of the Army

Precedence between officers of the Foreign Service and other officers of the U.S. Government is set forth by EO 9998, 14 September 1948.

### 1-9. Precedence between members of the Army and members of Foreign Military Services serving with the Army.

Members of Foreign Military Services serving with the U.S. Army have equal status with Army members of equivalent grade of rank.

Table 1-1

#### Grade of ranks, U.S. Army

##### General officers

Grade of rank: General of the Army  
Pay grade: Special  
Title of address: General  
Abbreviation: <sup>1</sup>GA

Grade of rank: General  
Pay grade: 0-10  
Title of address: General  
Abbreviation: GEN

Grade of rank: Lieutenant General  
Pay grade: 0-9  
Title of address: General  
Abbreviation: LTG

Grade of rank: Major General  
Pay grade: 0-8  
Title of address: General  
Abbreviation: MG

Grade of rank: Brigadier General  
Pay grade: 0-7  
Title of address: General  
Abbreviation: BG

##### Field officers

Grade of rank: Colonel  
Pay grade: 0-6  
Title of address: Colonel  
Abbreviation: COL

Grade of rank: Lieutenant Colonel  
Pay grade: 0-5  
Title of address: Colonel  
Abbreviation: LTC

Grade of rank: Major  
Pay grade: 0-4  
Title of address: Major  
Abbreviation: MAJ

##### Company officers

Grade of rank: Captain  
Pay grade: 0-3  
Title of address: Captain  
Abbreviation: CPT

Grade of rank: First Lieutenant  
Pay grade: 0-2  
Title of address: Lieutenant  
Abbreviation: 1LT

Grade of rank: Second Lieutenant  
Pay grade: 0-1  
Title of address: Lieutenant  
Abbreviation: 2LT

##### Warrant officers

Grade of rank: Chief Warrant Officer, Four  
Pay grade: W-4  
Title of address: Mister(Mrs/Miss)  
Abbreviation: CW4

Grade of rank: Chief Warrant Officer, Three  
Pay grade: W-3  
Title of address: Mister(Mrs/Miss)  
Abbreviation: CW3

Grade of rank: Chief Warrant Officer, Two  
Pay grade: W-2  
Title of address: Mister(Mrs/Miss)  
Abbreviation: CW2

Grade of rank: Warrant Officer, One  
Pay grade: W-1  
Title of address: Mister(Mrs/Miss)  
Abbreviation: WO1

##### Cadets

Grade of rank: U.S. Military Academy  
Pay grade: Special  
Title of address: Mister/Miss/Cadet  
Abbreviation: none

Grade of rank: Senior Advanced ROTC  
Pay grade: Special  
Title of address: Mister/Miss/Cadet  
Abbreviation: none

##### Senior Noncommissioned officers

Grade of rank: Sergeant Major of the Army  
Pay grade: E9

**Title of address:** Sergeant Major  
**Abbreviation:** SMA

**Grade of rank:** Command Sergeant Major<sup>2</sup>  
**Pay grade:** E9  
**Title of address:** Sergeant Major  
**Abbreviation:** CSM

**Grade of rank:** Sergeant Major<sup>3</sup>  
**Pay grade:** E9  
**Title of address:** Sergeant Major  
**Abbreviation:** SGM

**Grade of rank:** First Sergeant  
**Pay grade:** E8  
**Title of address:** First Sergeant  
**Abbreviation:** 1SG

**Grade of rank:** Master Sergeant  
**Pay grade:** E8  
**Title of address:** Sergeant  
**Abbreviation:** MSG

**Grade of rank:** Platoon Sergeant and  
Sergeant First Class  
**Pay grade:** E7  
**Title of address:** Sergeant  
**Abbreviation:** PSG/SFC

**Junior Noncommissioned officers and  
Specialist<sup>4</sup>**

**Grade of rank:** Staff Sergeant  
**Pay grade:** E6  
**Title of address:** Sergeant  
**Abbreviation:** SSG

**Grade of rank:** Sergeant  
**Pay grade:** E5  
**Title of address:** Sergeant  
**Abbreviation:** SGT

**Grade of rank:** Corporal  
**Pay grade:** E4  
**Title of address:** Corporal  
**Abbreviation:** CPL

**Grade of rank:** Specialist Four  
**Pay grade:** E4  
**Title of address:** Specialist  
**Abbreviation:** SP4

**Privates**

**Grade of rank:** Private First Class  
**Pay grade:** E3  
**Title of address:** Private  
**Abbreviation:** PFC

**Grade of rank:** Private  
**Pay grade:** E2  
**Title of address:** Private  
**Abbreviation:** PV2

**Grade of rank:** Private  
**Pay grade:** E1  
**Title of address:** Private  
**Abbreviation:** PV1

**Notes:**

1. Other abbreviations authorized for use in correspondence with the general public and agencies outside Department of Defense (DOD), on Identification (ID) cards, and in personal correspondence are listed in AR 310-60.

2. Personnel formally selected by DA for participation in the Command Sergeants Major Program.

3. All E9s not formally selected for the Command Sergeants Major Program.

4. Specialist Four will rank immediately below Corporal. This does not require or justify change to table of organization (TOE) or table of distribution and allowances (TDA).

## Chapter 2 Command and Other Channels

### 2-1. Chain of command

a. The chain of command is the most important organizational technique used by the Army. It is the succession of commanders, superior to subordinate, through which command is exercised. It extends from the President, as Commander-in-Chief, down through the various grades of rank, to the enlisted persons leading the smallest Army elements. This is also known as the command channel. Staff officers and administrative noncommissioned officers (NCOs) are not in the chain of command.

b. A simple and direct command channel helps send orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. The command channel extends upward in the same manner for matters requiring official communication from subordinate to superior.

c. Each person in the chain of command is delegated sufficient authority to accomplish assigned duties. Every commander has two basic responsibilities; the mission and care for personnel and property. Normally, accomplishing the mission efficiently will help satisfy the responsibility for personnel welfare.

d. A superior in the chain of command holds subordinate commanders responsible for everything their command does or fails to do. A commander cannot delegate responsibilities to superiors. However a commander subdivides responsibility and authority and assigns portions of both to various subordinate commanders and staff members. In this way, a proper degree of responsibility becomes inherent in each command echelon. The need for a commander or staff officer to observe proper channels in issuing instructions or orders to subordinates must be recognized.

e. Constant and continuous use of the chain of command is vital to the readiness of any Army unit. Every effort must be made to acquaint all personnel with its existence and proper function.

### 2-2. Staff or technical channels

Another important Army organizational technique for communication is the staff or technical channel. The term "staff" or "technical" channel is used to describe the vertical or horizontal channel between a staff section at one headquarters and a similar staff section at another echelon (or at a parallel headquarters). It is sometimes used for routing reports, information, or instructions that do not involve variations from command policy and directives.

### 2-3. Noncommissioned officer (NCO) support channel

The NCO support channel begins with the commander of a major unit, post, or State headquarters. It extends from the commander's command sergeant major through subordinate unit command sergeants major

to unit first sergeants and then to other NCOs and enlisted personnel of the units. Commanders will define responsibilities and authority of their NCOs to their staffs and subordinates. This NCO support channel is responsible for supporting the chain of command and assisting in the accomplishment of the important tasks below.

a. Administering the NCO professional development program.

b. Establishing and maintaining the professional standards of the NCOs corps.

c. Supervision of unit operations within established policy guidelines.

d. Care of individual soldiers and their families.

e. Training of enlisted soldiers in their military occupational specialty (MOS) as well as in the basic skills and attributes of a soldier.

f. Proper wear of the uniform.

g. Appearance and military courtesy of enlisted personnel.

h. Care of individual arms and equipment of enlisted personnel.

i. Care of living quarters of enlisted personnel.

j. Area maintenance tasks.

k. Operation of recreational and other facilities for the primary use of enlisted personnel.

## Chapter 3 Command Policies and Procedures

### 3-1. Command of installations, activities, and units

a. *Responsibility.* The senior regularly assigned officer present for duty has responsibility for the command of units, platoon level and above, except as exempted under paragraphs 3-11 or 3-12. Further policy guidance is outlined below.

(1) An installation will be assigned to the subordinate command whose mission and organization on the installation is best equipped to perform installation management. The organization that is "best equipped" will be determined by the following criteria:

(a) Capable of performing installation management most efficiently and economically in terms of staff and other overhead costs.

(b) The subordinate command can administer base operations functions most efficiently and economically.

(c) Employs and/or commands the largest number of military and civilian personnel in performing mission activities.

(d) Uses the greatest amount of building square footage and/or acreage in performing mission activities.

(e) Has been traditionally associated with the installation.

(f) Having the commander senior in grade.

(2) Except for commanders of type A installations, Army commanders or general

officers with the rank of lieutenant general or above may not assume command of Army installations. When a specific situation appears to warrant an exception to this policy, prior approval will be obtained from HQDA (DAPE-GO), WASH DC 20310-0300.

(3) Command of installations and units under the Army Medical Department (AMEDD) are set forth in AR 40-1 and AR 10-6.

b. *Announcement of assumption of command.* Assumption of command will be announced in a memorandum, military letter, or disposition form that will contain the information below. (See table 3-1.)

**SUBJECT:** Assumption of Command  
By authority of (appropriate sub-para), the undersigned assumes command of (complete unit designation and unit identification code (UIC), effective (date)). Authentication will include: Name, grade, branch, and the word "Commanding."

(1) *Oral assumption of command.* Oral assumption of command may be used by units that do not use orders or other documentation to announce assumption of command or with proper authority when other circumstances necessitate.

(2) *Distribution.* Distribution will be limited to one copy each to the person concerned, subordinate commands or elements, interested commands or agencies, and the next higher headquarters. A copy will be placed in the functional files of the issuing command and/or the affected command. When a general officer, or general officer designee, assumes command, one copy will be furnished to HQDA (DAPE-GO), WASH DC 20310-0300.

**Table 3-1**  
**Assumption of command documents required**

**Command is assumed by:** Senior regularly assigned Army member initially assuming permanent command.

**Remarks.** One assumption of command document will be made on the day the commander initially assumes command.

**Authority:** AR 600-20, paragraph 3-1a.

**Title on document:** Commanding

**Command is assumed by:** Senior regularly assigned Army member assuming temporary command during the temporary or permanent absence of the assigned commander.<sup>1</sup>

**Remarks.** An assumption document is required each time an acting commander assumes command. An "effective" date and a "to" date are required. If the "to" date is unknown, an amending document will be issued when the date becomes known.

**Authority:** AR 600-20, paragraphs 3-4 and 3-5.

**Title on document:** Acting Commander

**Command is assumed by:** Junior in grade regularly assigned Army member initially assuming permanent command.<sup>2</sup>

**Remarks.** Same as item 1 remarks.

**Authority:** AR 600-20, paragraph 3-3.

**Title on document:** Commanding and DP letter.

**Command is assumed by:** Junior in grade regularly assigned Army member assuming temporary command during the temporary or permanent absence of the assigned commander.<sup>2</sup>

**Remarks.** Same as item 2 remarks.

**Authority:** AR 600-20, paragraph 3-3.

**Title on document:** Acting Commander and DP letter.

**Command is assumed by:** Senior medical or dental officer assuming command of a medical or dental unit temporarily deployed for receiving and treating patients.

**Remarks.** Same as item 1 remarks.

**Authority:** AR 600-20, paragraphs 3-1g and 3-1h.

**Title on document:** Commanding

**Notes:**

1. In the event of death or permanent departure of a commander, the next senior regularly assigned Army member will assume temporary command as an acting commander, unless informed by higher authority that command will be permanent.

2. Before a junior in grade Army member may assume command or sign a document assuming command, by direction of the President (DP), authority must be obtained in the form of a letter or memorandum from a commander authorized that authority (para 3-3b). In situations requiring immediate action commanders authorized DP authority may orally grant a junior in grade Army member authority to command and then issue the required letter or memorandum.

(3) *Filing.* Organizations and units governed by AR 340-18-2 and AR 340-2 respectively, will file one copy of the assumption document under Organizational History Files. Disposition is shown in those regulations.

(4) *Correction and amendments.* Assumption of command documents may be amended, rescinded, or revoked by publishing the correct information in another assumption of command document. The document containing the correction will properly identify (by date) the document being corrected, and state to whom it pertains. The amended document will be distributed and filed, as appropriate.

c. *Installation responsibilities.* Major Army commanders may relieve tactical commanders of installation responsibilities by designating (by letter), a junior officer of the permanent station as installation commander.

d. *Optimum length of command tours.* The optimum length of command tours must be based on the needs of the Army, stability within units, the need for officers with command experience, and availability of personnel. Optimum command tours are as follows:

(1) For company grade, 18 months with a minimum of 12 months.

(2) For field grade, 24 months. Major commanders may amend this length by 6 months either way.

(3) In oversea areas where the tour length precludes such tenure of command, the command tour will coincide with the oversea tour.

e. *Command by general officers.* Except as indicated in paragraph 3-4, general officers will not be assigned without the prior

approval in each case of HQDA (DAPE-GO), WASH DC 20310-0300.

f. *Command of medical units.* The senior Medical Corps officer, assigned or attached to a medical TOE unit that is deployed to receive and treat patients, will assume command of that unit until properly relieved.

g. *Command of dental units.* The senior Dental Corps officer, assigned or attached to a dental TOE unit that is deployed to receive and treat patients, will assume command of that unit until properly relieved.

h. *Command of veterinary units.* The senior veterinary officer, assigned or attached to a veterinary unit that is deployed for care of government-owned animals, for food inspection responsibilities, and/or for civic action programs, will assume command of that unit until properly relieved.

### 3-2. Specialty immaterial commands

The senior officer regularly assigned and present for duty with logistical commands (or communications zone headquarters, sections, and areas) and similar specialty immaterial commands will assume command of the organization to which assigned. (This provision applies if the senior officer is not ineligible under para 3-11 or 3-12).

### 3-3. Designation of junior in the same grade to command

a. When two or more commissioned officers of the same grade who are eligible to command are on duty in the same command or organization, the President may assign the command of forces without regard to seniority of rank.

b. General officers are authorized to announce, by direction of the President, the designation of one of several officers of the same grade within a command under their jurisdiction as a commander thereof. This refers to general officers commanding major Army commands (MACOMs), armies, corps, installations, divisions, separate brigades, and U.S. Army Reserve (USAR) general officer commands, and heads of DA Staff agencies. This may be done without regard to relative seniority. (See paras 3-1e and 3-4d for policy on general officers.) When an officer who is junior in grade is designated to command, a military letter or memorandum will be used to announce the appointment and will contain the following information:

**SUBJECT:** Appointment of Commander

By direction of the President, (grade, name, SSN, and branch) is appointed commanding officer or commanding general of (complete unit designation and UIC), effective (date).

(authentication)

This appointment will be used only if the duties of the position require exercising command. It will not be used to assign a junior officer to a staff position that requires supervising and controlling activities of an officer senior in rank. In staff supervisory

positions, commanders may make such appointments merely by designation in a letter.

c. Commanders will not use the Presidential authority cited in this paragraph to appoint a junior member as their own successor, either temporarily or permanently. In some cases, a commander having authority under this paragraph may find it necessary to temporarily place a junior member in his or her position as acting commander. If so, a request stating the circumstances and asking for the appointment to be made will be sent to the next higher commander having authority under this paragraph. The next higher commander will review the request and make appointments deemed necessary. Commanders may not issue a blanket designation applying to more than one absence of a subordinate commander without prior approval from the MACOM or, in cases involving general officers, DAPE-GO. Each designation of a junior to a command position requires a separate action by the designating authority except when prior approval of a blanket designation has been authorized.

d. The authority in this paragraph will not be used to assign command functions to chaplains or, unless authorized by the Secretary of the Army, or his appointee, to officers of the AMEDD when such assignment involves troops other than those of the AMEDD. (See para 3-12c.)

### **3-4. Death, disability, retirement, reassignment, or absence of the commander**

a. *General.* If a commander of any Army element dies, becomes disabled, retires, is reassigned, or is temporarily absent, the senior regularly assigned Army member will assume command. This refers (in order of priority) to commissioned officers, warrant officers (WOs), cadets, NCOs, specialists, or privates present for duty and not ineligible under paragraphs 3-11 or 3-12.) He or she will assume command until relieved by proper authority except as provided for in paragraph 3-4c below. Assumption of command under these conditions will be announced as per paragraph 3-1b. However, the announcement will indicate assumption as acting commander unless designated as permanent by the proper authority. It is not necessary to rescind the announcement designating an acting commander to assume duties of the commander "during the temporary absence of the regularly assigned commander" if the announcement gave the time element involved. A rescinding announcement is required if the temporary assumption of command was for an indefinite period.

b. *Head of DA Staff agencies.* On the death, disability, or temporary absence of a head of a DA Staff agency, the next senior officer on duty in the office will become head until relieved by proper authority. (Exceptions may be ordered or required.) This does not apply to The Surgeon General and

the Chief, National Guard Bureau. Functions of The Surgeon General will be assumed by the next senior officer of the Medical Corps present and on duty in the office. Functions of the National Guard Bureau (NGB) will be assumed by the senior officer of the Army National Guard of the United States (ARNGUS) on duty in the Bureau. (See 10 USC 3015.)

c. *Commanders of MACOMs.* A commander of a MACOM may continue to discharge the functions of command while absent from the limits thereof, if—

(1) Such absence is for a short period only.

(2) The commander has reasonable communication with the MACOM headquarters.

(3) The absence is not caused by physical disability.

#### *d. General officers.*

(1) During the temporary absence of the regularly assigned commander, MACOMs are authorized to assign general officers under their command to positions of command.

(2) Where more than one MACOM is represented on an installation, the line of succession of command may pass from one MACOM to another. Major Army commanders concerned should agree to the terms of such an arrangement by a memorandum of understanding and should publish necessary documentation. HQDA (DAPE-GO) will be notified of the action taken.

### **3-5. Absence or disability of all officers of a unit**

Upon death, disability, or absence of all officers of a unit normally commanded by a commissioned officer, the appropriate commander will permanently assign an officer to command, preferably of the branch to which the unit belongs. Pending assignment and arrival of the new commander, the senior warrant officer, cadet, NCO, specialist, or private regularly assigned to the unit will exercise temporary command. Restrictions on assuming command set forth in paragraphs 3-11 and 3-12 apply. Assumption of command will be as noted in paragraph 3-4a.

### **3-6. Emergency command**

The senior commissioned officer, warrant officer, cadet, NCO, specialist, or private among troops at the scene of the emergency will control or command the military personnel present. These provisions also apply to troops separated from their parent units under battlefield conditions or in prisoner of war status. Restrictions on assuming command set forth in paragraphs 3-11 and 3-12 apply. Assumption of command will be as noted in paragraph 3-4a.

### **3-7. Functions of an individual in temporary command**

A member in temporary command will not, except in urgent cases, alter or annul the

standing orders of the permanent commander without authority from the next higher command. Temporary command is defined to include command assumed under conditions outlined in paragraphs 3-4, 3-5, and 3-6. Such commanders will be considered temporary commanders until they are designated as permanent or until they are replaced by the proper senior commander.

### **3-8. Responsibility of successor**

A member who succeeds to any command or duty assumes the duties of his or her predecessor. The successor will assume responsibility for all orders in force and all the public property and funds pertaining to the command.

### **3-9. Separate commands of the U.S. Army serving together**

a. When separate commands of the U.S. Army join (or perform duty) together, the senior regularly assigned officer present for duty with the commands concerned will command the forces unless otherwise directed by the President. He or she must not be ineligible under paragraph 3-12 or 3-13.

b. Section 317 of title 32, United States Code provides: "When any part of the National Guard that is not in Federal service participates in an encampment, maneuver, or other exercise for instruction, together with troops in Federal services, the command of the post, airbase, or other place where it is held, and of the troops in Federal service on duty there, remains with the officers in Federal service who command that place and the Federal troops on duty there, without regard to the rank of the officers of the National Guard not in Federal service."

c. When USAR units take part in active duty for training or annual training at a post, the command of that post remains with the officer who commands it. This provision applies regardless of the grade of the officers of the USAR unit who are temporarily taking part in training there.

### **3-10. Separate commands of the several military services of the United States serving together**

a. When separate commands of the several military services join (or perform duty) together, or personnel of another Service serve with the Army, operational control by an officer of one Service over the units or members of the other Services may be given by agreement between the Services concerned, or by assignment to command a unified command established by the Joint Chiefs of Staff. When the different commands of the Army and the Marine Corps join or serve together, the highest ranking officer in the Army or Marine Corps on duty, who is otherwise eligible to command, will command all those forces unless otherwise directed by the President. (See 10 USC 747.)

b. The commander of the forces joined will exercise operational control of the forces of each Service. This will be done



through the responsible commander who will retain responsibility for such intraservice matters as administration, discipline, internal organization, and unit training. In general, court-martial jurisdiction by one Armed Force over members of another should be exercised only when the accused cannot be delivered to the Armed Force of which the individual is a member without injury to the Service. Subject to this policy, commanders of joint commands or joint task forces who have authority to convene general courts-martial may convene a court-martial for the trial of members of another Armed Force when specifically empowered by the President or Secretary of Defense to refer such cases for trial by courts-martial. (See R.C.M. 201(e) MCM 1984, revised.)

### 3-11. Ineligibility for command of post or activity

A person will be considered ineligible for command of a post or activity when he or she is—

a. Quartered there, but has a headquarters or office elsewhere.

b. A student at a service school or civilian institution or is undergoing individual training, instruction, or intransit processing at a post where he or she is not a part of the command complement.

c. Not permanently assigned, and the unit is not permanently assigned to the post.

d. Assigned mainly as a permanent member of a board.

e. Prohibited from assuming command by statute (AR 600-31) or by paragraph 3-12.

f. Assigned specific duty aboard a military vessel or aircraft where the officer's particular duty, specialty, or MOS does not technically qualify him or her to assume the duty of ship's master or aircraft commander.

g. In arrest. (A person in arrest is ineligible to exercise command of any kind.)

### 3-12. Restrictions

a. *General Staff officers.* An officer assigned to duty on (or detailed to duty with) the Army General Staff will not command troops other than personnel on duty with the Army General Staff unless specifically directed to do so by an authority named in paragraph 3-3. A General Staff officer with troops may assume command when he or she is the senior regularly assigned officer of the command present for duty. The officer must not be ineligible under the provisions of this paragraph and paragraph 3-11.

b. *Officers on duty in DA Staff agencies.* Officers on duty or detailed to duty in any of the staff agencies, Services, and bureaus of DA (including heads thereof) will not normally assume command of troops other than those of the Service, staff, or bureaus where they are on duty. Exceptions must be directed by proper authority.

c. *Officers of the AMEDD.* Officers of the AMEDD may exercise command only within the AMEDD. As an exception, officers of the Medical Service Corps may command

troops that are not part of the AMEDD. This will be done when authorized by the Secretary of the Army; the commanders of MACOMs, Army groups, armies, corps, divisions, and comparable units; the chiefs of Services; or heads of other DA Staff agencies. (See AR 10-6 and AR 40-1 on use of AMEDD officers.)

d. *Chaplains.* A chaplain has rank without command. (See 10 USC 3581.) Although chaplains may not exercise command, they have authority to exercise functions of operational supervision and control.

e. *Commanding officer of troops on transports.* Military personnel embarking on Military Sealift Command vessels are available for command duty, unless otherwise indicated in their travel orders or, by reason of their branch of Service. General officers will be excluded from this requirement. Designation of colonels will be at the discretion of the terminal commander.

f. *USAR unit commanders.* The authority delegated under paragraph 3-3 will apply in the following cases when it is not practical to assign the senior officer to command:

(1) When the USAR officer selected to command a USAR unit, while in Reserve duty training status, is junior in date of rank (as per para 6-3) to other officers of the same grade assigned to that unit.

(2) When a USAR unit is ordered to active duty, and the assigned unit commander is junior in date of rank (as per para 6-3) to other assigned officers of the same grade.

g. *Warrant officers.* When assigned duties as station, unit, or detachment commander, warrant officers are vested with all powers usually exercised by commissioned officers. (See AR 611-112, para 1-7 for exceptions.)

h. *Partially disabled officers.* Partially disabled officers continued on active duty under AR 635-40, chapter 6, will be assigned to positions in which their special qualifications make them of particular value to the Service. Such officers will not be assigned to command positions unless the assigning authority positively determines that the person—

(1) Has the medical (physical) career potential to serve in combat situations.

(2) Is able to serve until the age for mandatory retirement.

i. *Inspectors general.* An officer detailed to duty as an inspector general will not assume command of troops while so detailed. However, an inspector general is not precluded from assuming temporary command of an organization if he or she—

(1) Is the next regularly assigned senior officer of the organization.

(2) Is not otherwise ineligible.

(3) Has been relieved from detail as an inspector general during the period of temporary command.

### 3-13. Relief for cause

a. Relief for cause is defined as the removal of an officer or enlisted person from a rateable assignment based on a decision by a

member of the person's chain-of-command or supervisory chain that his or her personal or professional characteristics, conduct, behavior, or performance of duty warrant removal in the best interest of the U.S. Army. This is contrasted with reassignment under favorable circumstances such as occurs upon completion of an accepted period of assignment, normal rotation, or directed assignment before completion of the normal assignment period.

b. The relief of an individual for cause is one of the most adverse personnel actions available and will usually be preceded by formal counseling by the commander or supervisor unless such action is not deemed appropriate under the circumstances. Action to relieve an officer from a command position will not be taken until approved by the first General Officer in the chain of command of the officer being relieved. If a General Officer is the relieving official, no further approval of the relief action is required; however, the provisions of AR 623-105 and AR 623-205 concerning administrative review of relief reports remain applicable. Appropriate USAR directives pertain to personnel serving in long tour assignments.

## Chapter 4 Enlisted Aspects of Command

### 4-1. General policy

At all echelons of command, commanders and their staffs are responsible for ensuring proper delegation of authority to NCOs by their superiors. This policy applies whether the superior is a commissioned officer, WO, or another NCO.

### 4-2. Noncommissioned officers

AR 611-201 describes in detail the command function of all NCO MOSs.

a. *Sergeant Major of the Army.* This is the senior sergeant major grade of rank. It designates the senior enlisted position of the Army. The sergeant major in this position serves as the senior enlisted advisor and consultant to the Chief of Staff of the Army. He or she provides information on problems affecting enlisted personnel and solutions to these problems; on professional education, growth, and advancement of NCOs; and on morale, training, pay, promotions, and other matters. The Sergeant Major of the Army is also available to present the enlisted viewpoint on DA boards and committees. Other functions of this position include meetings with military and civilian organizations to discuss enlisted personnel affairs, receiving enlisted personnel who visit HQDA, and representing all Army enlisted personnel at appropriate ceremonies.

b. *Command sergeant major.* This is the position title designating the senior NCO of the command at battalion or higher level. He or she carries out policies and standards on the performance, training, appearance,

and conduct of enlisted personnel. The command sergeant major gives advice and initiates recommendations to the commander and staff in matters pertaining to enlisted personnel. As stated in paragraph 2-3, it is from the command sergeant major of a unit, installation, or State headquarters that the activities of the local NCO support channel emanates. This channel functions orally through the command sergeant's major or first sergeant's call and normally does not involve written instructions; however, either method will be considered directive. The command sergeant major administers the unit Noncommissioned Officer's Professional Development Program (NCODP). This program operates through the NCO support channel; however, the NCODP should be based on written directives.

c. *First sergeant.* The position of first sergeant is similar to that of the command sergeant major in importance, responsibility, and prestige. First sergeants are in direct and daily contact with sizable numbers of other enlisted personnel. Thus, this position is one requiring outstanding leadership and professional competence. The first sergeant is the senior NCO in companies, batteries, and troops. His or her duties include holding formations, instructing the platoon sergeants, and assisting the commander in the operations of the unit. The first sergeant's principal duty is the individual training of enlisted members of the unit. Routine administrative duties are supervised by the first sergeant; however, they should not be given priority over his or her training duties. The first sergeant administers the unit NCODP.

d. *Platoon sergeant.* This position is also key in the command structure of the Army. When the platoon leader is present, the platoon sergeant is a key assistant and advisor. In the absence of the platoon leader, the platoon sergeant commands the platoon.

e. *Section, squad, and team leaders.* The responsibilities of these echelons of the chain of command (para 2-3) are exercised by NCOs. Platoon leaders hold their subordinate leaders responsible for the individual training, personal appearance, and cleanliness of their soldiers and for insuring that—

(1) Each member of their unit is trained to competency in his or her MOS as prescribed in the appropriate soldiers' manual.

(2) All Government property issued to members of their units is properly maintained and accounted for at all times and that discrepancies are reported promptly.

(3) While in a duty status, they be ready at all times to report the location and activity of all members of the unit. Thus, as the basic reporting unit, squad members are either reported present, or if absent are reported by name.

(4) The unit is trained to function in its primary mission role.

f. *Acting NCOs.* Company, troop, battery, and separate detachment commanders may appoint acting corporals and sergeants to fill position vacancies. (See AR 600-200,

chap 7, which also provides for acting corporals, sergeants, and staff sergeants for casual groups.) While so acting, they will wear the insignia and have the responsibilities, authority, and privileges of the position to which appointed. They will not, however, be entitled to the pay and allowances of such higher grades and such service will not be credited as time in a higher grade of rank for appointment or date of rank purposes.

g. *NCO disciplinary policies.*

(1) This subparagraph emphasizes the importance of NCOs in maintaining discipline in the Army. The policies below should be considered together with the provisions of chapter 5 and the MCM.

(a) NCOs have the authority to apprehend (UCMJ, Art. 7(c); R.C.M. 302(b)(2))MCM; and para 5-5).

(b) NCOs may be authorized by their commanders to order enlisted persons of the commanding officer's command or enlisted persons subject to the authority of that commanding officer into arrest or confinement (R.C.M.304 (b)(3))MCM).

(2) NCOs do not have authority to impose nonjudicial punishment on other enlisted personnel under the Uniform Code of Military Justice (UCMJ), Art. 15. However, the commander may authorize a NCO in the grade of E-7 or above, provided such person is senior to the person being notified, to deliver the DA Form 2627 (Record of Proceedings under Article 15, UCMJ) and inform the member of his or her rights. In cases of nonjudicial punishment the recommendations of NCOs should be sought and considered by the unit commanders.

(3) As enlisted commanders of soldiers, NCOs are invaluable in furthering the efficiency of the company, battery, or troop. This function includes preventing incidents that would make it necessary to resort to trial by court-martial or to impose nonjudicial punishment. Thus, NCOs are assistants to commanders in administering minor nonpunitive discipline as set forth in AR 27-10 and paragraph 1g, part V, MCM. Nonpunitive discipline is not to be confused with nonjudicial punishment.

(4) In taking corrective action with regard to subordinates, NCOs will be guided by and observe the principles set forth in paragraph 5-7e.

(5) For trials by court-martial of NCOs whose membership (UCMJ, Art. 25(c)(1), R.C.M. 502 (a)(1)(c)) MCM includes enlisted persons, the following will apply: except as provided for in the UCMJ, no member of the court-martial will be junior to the accused in rank or pay grade.

(6) For NCOs above pay grade E4, summary courts-martial may not adjudge confinement, hard labor without confinement, or reduction except to the next lower pay grade.

(7) When nonjudicial punishment (UCMJ, Art. 15) is imposed on a NCO, it may not include—

(a) Correctional custody.

(b) Confinement on bread and water or diminished rations.

(c) Any type of extra duty involving labor or duties not customarily performed by an NCO of the grade of rank of the person who is to perform the extra duty.

h. *Additional NCO responsibilities, prerogatives, and privileges.* NCOs will—

(1) Formulate plans and issue and execute orders\* on their own initiative and judgement within the authority delegated to them.

(2) Serve as training instructors to the maximum degree practicable.

(3) Make recommendations about unit mission accomplishment and troop welfare. (NCO recommendations have traditionally been invaluable to commanding officers on such matters as assignment, reassignment, promotion, privileges, discipline, training, unit funds, community affairs, and supply.)

(4) Function only in supervisory roles on fatigue duty and only as NCOs of the guard on guard duty, except in temporary situations where grades of rank are critically short.

(5) Be granted such privileges as organization and installation commanders are capable of granting and consider proper to enhance the prestige of their enlisted troop leaders.

(6) Be considered for assignment of quarters (NCOs with bonafide dependents) by installation commanders based on AR 210-50. Assignment will be based on the date of rank within pay grade for all enlisted personnel under consideration.

(7) Be afforded pass privileges according to AR 630-5, chapter 10.

(8) Be afforded the privilege of setting up and operating NCO clubs as adjuncts of the Army as covered in AR 230-60.

(9) Be afforded separate rooms in barracks areas under provisions of AR 210-16.

#### 4-3. Specialists

a. A specialist is a selected enlisted person appointed under AR 600-200, chapter 7, to discharge duties requiring a high degree of special skill. He or she must be proficient in the technical or administrative aspects of his or her MOS field. By virtue of their technical skill specialists must often exercise leadership with respect to matters related to their specialty. Normally, their duties do not require exercising enlisted command of troops.

b. Specialists will be granted the same type privileges as NCOs of the same pay grade in the organization and installation. Privileges cited in paragraph 4-2h(6), (7), and (8) apply equally to specialists.

#### 4-4. Privates.

Privates are the basic manpower strength and grades of the Army. While command functions do not normally pertain to privates, they should be well-informed about their responsibilities and counseled about their potential for enlisted command duties. Special emphasis should be focused on the guidance in paragraphs 3-5, 3-6, 3-7, 3-8, and 4-2, and chapter 5.

## Chapter 5 Military Conduct and Discipline

### Section I General

#### 5-1. Military discipline

a. Military discipline consists of individual and group training that develops a mental attitude resulting in proper conduct and automatic obedience to military law under all conditions. It is founded upon respect for and loyalty to properly constituted authority.

b. While military discipline is enhanced by military training, every feature of military life affects military discipline. It can be seen in an individual or unit by smartness of appearance and action; by cleanliness and neatness of dress, equipment, and quarters; by deference to seniors and by mutual respect between senior and subordinate personnel; and by the prompt and cheerful execution by subordinates of both the letter and the spirit of the legal orders of their lawful superiors.

#### 5-2. Obedience to orders

All persons in the military service are required to strictly obey and promptly execute the lawful orders of their superiors.

#### 5-3. Military courtesy

a. Courtesy among members of the Armed Forces is vital to discipline; respect to superiors will be extended at all time. (See AR 600-25, chap 4.)

b. Military personnel are looked upon by the civilian community to set an example in courtesy and honors rendered the National Anthem and the National Color. Accordingly, the conduct of military personnel should always reflect respect to both the National Anthem and the National Color. The specific courtesies set forth in AR 600-25, appendix A, should be rendered the National Color and National Anthem at public events whether the soldier is off or on duty and whether he or she is in or out of uniform. Intentional disrespect to the National Colors or Anthem is inappropriate. It constitutes conduct prejudicial to good order and discipline; moreover, it is discrediting to the military service.

#### 5-4. Conduct

a. Discipline is a function of command; hence, it is the responsibility of all leaders in the Army, whether they are on or off duty or in a leave status, to—

(1) Insure all military personnel present a neat, soldierly appearance.

(2) Take action against military personnel in any case where the soldier's conduct violates good order and military discipline.

b. The senior officer, WO, or NCO will act promptly, using such means as are available, to restore order.

c. On public conveyances, in the absence of military police, the person in charge of the conveyance will be asked to notify the nearest military police and arrange to have

them come on board and take custody of military personnel guilty of misconduct. If the misconduct is serious enough, the person in charge of the conveyance will be asked to stop at the first opportunity and turn the offender over to local police. In all such cases, the local police will be advised to telephone (collect) the nearest Army post or Army headquarters. The purpose is to insure that—

(1) The accused's commanding officer is notified.

(2) The commander of the area of responsibility in which the offense occurs takes proper action.

d. When an offense endangering the reputation of the Army is committed elsewhere (not on a public conveyance), civilian police will be requested to take the offender into custody when military police are not available.

e. When military police are not present, the senior commissioned officer, WO, or NCO present will obtain the name, grade, social security number, organization, and station of the offender. This information and a statement of the circumstances will be sent to the soldier's commanding officer without delay. When the offender is turned over to the civilian police, the above information will be given to the civilian police for transmittal to the proper military authorities.

#### 5-5. Maintenance of order

Army and Marine Corps military police, Air Force Security Police, members of the Navy, and Coast Guard shore patrols are authorized and directed to apprehend Armed Forces members who commit offenses punishable under the UCMJ. Commissioned officers, WOS, NCOs, and petty officers of the Armed Forces are authorized and directed to quell all quarrels, frays, and disorders among persons subject to military law and to apprehend participants. Those exercising authority, hereunder, should do so with judgment and tact. Personnel so apprehended will be returned to the jurisdiction of their respective Services as soon as practical. Confinement of females will be according to AR 190-38, paragraph 4c.

#### 5-6. Exercising military authority

a. Military authority will be exercised with promptness, firmness, courtesy, and justice. Resorting to trial by court-martial, or to nonjudicial punishment under UCMJ, Article 15, will not be done for trivial offenses, except when less drastic methods of administering discipline have been tried unsuccessfully. (See para 1d(1), Part V, MCM, and AR 27-10, chap 3, sect 1.)

b. One of the most effective nonpunitive disciplinary measures is extra training or instruction. For example, if soldiers appear in an improper uniform, they will be required to correct their attire; if they do not maintain their housing area properly, they will be required to correct the deficiency; if soldiers have a training deficiency, they will

be required to take extra training in subjects directly related to the deficiency.

c. The training or instruction given to a soldier to correct deficiencies not only must be directly related to the deficiency observed, but also must be oriented to improving the soldier's performance in his or her problem area. Corrective measures may be taken after normal duty hours. Such measures assume the nature of training or instruction, not punishment. Corrective training should continue only until the training deficiency is overcome. Authority to use it is part of the inherent powers of command.

d. Care should be taken at all levels of command to insure that training and instruction are not used in an oppressive manner to evade the procedural safeguards applying to imposing nonjudicial punishment. Deficiencies that have been satisfactorily corrected by means of training and instruction will not be noted in the official records of the soldiers concerned. They will be considered as closed incidents. (See paras 4-2g(4) and 5-8b.)

#### 5-7. Relationships of superiors toward subordinates

a. The commander will encourage harmonious relations among subordinates, coupled with a friendly spirit of competition in performing duties.

b. The commander's timely intervention to prevent disputes, give advice to the inexperienced, and censure conduct that may produce dissension in the command or reflect discredit upon it, is of great importance in securing and maintaining efficiency.

c. Commanders exercise command through their subordinate commanders. To this end, they inspire confidence in subordinates by example, sound and decisive action, and ability to overcome obstacles. Commanders must encourage strengthening the chain of command and developing initiative, ingenuity, and boldness of execution throughout all echelons of command. They set up policies and standards and prescribe missions for their command. By personal visits to units and formal or informal inspections and reports, commanders insure adherence to policies, compliance with orders, and maintenance of standards. Moreover, they use the staff to get information, prepare detailed plans, and otherwise relieve themselves of details to allow maximum freedom of action. The degree to which commanders delegate responsibility and authority to their staff will vary with the commander and the level of command. Care must be taken so that the staff does not isolate the commander from subordinate commanders and so that the unique relationship between the commander and subordinate commanders is preserved. Commanders maintain a close, direct, and personal relationship with subordinate commanders and with the staff. They ensure that a feeling of mutual respect and confidence exists between the headquarters and subordinate commands.

d. Commanders share the responsibility for the professional development of their subordinates. To this end, they will encourage self-study and counsel them often on their performance. Officers who have two designated occupational specialties should be assigned within their specialties. Enlisted personnel will be assigned and used as outlined in AR 600-200.

e. Professionally competent leaders inherently command respect for their authority.

(1) Leaders should strive to develop, maintain, and use the full range of human potential in their organization. This potential is considered to be the most critical factor in ensuring the organization is capable of accomplishing its mission. Commissioned officers, WOSSs, and NCOs will strive to enhance the will to fight for their country in their subordinates. Accordingly, they should instill in them a sense of responsibility as citizens of the United States and a spirit of loyalty to the democratic principles on which the American way of life is based. Moreover, they should emphasize the importance of individual conduct and behavior as soldiers.

(2) Leaders at all echelons will continuously give troops constructive information on the need for and purpose of military discipline. Articles in the UCMJ requiring explanation will be presented in such a way to ensure that soldiers will be fully aware of the controls and obligations imposed on them by virtue of their military service. (See UCMJ, Art. 137.) Commissioned officers and NCOs will keep in close touch with soldiers in their command, take an interest in their organizational life, hear their complaints, and work at all times to remove causes for dissatisfaction.

(3) Leaders will strive to maintain positive relations with soldiers in their command. To this end, the leader's confidence and sympathy should ensure that the soldiers feel free to approach them for counsel and assistance. Ideally, soldiers in their command should feel free to discuss not only military and organizational matters, but personal problems as well, or matters that may contribute to personal or family problems. This relationship may be gained and maintained without relaxing discipline. Moreover, this type of positive relationship can provide great benefit to the Service as a whole.

f. Relationships between soldiers of different rank that involve, or give the appearance of, partiality, preferential treatment, or the improper use of rank or position for personal gain, are prejudicial to good order, discipline, and high unit morale. Such relationships will be avoided. Commanders and supervisors will counsel those involved or take other action, as appropriate, if relationships between soldiers of different rank—

(1) Cause actual or perceived partiality or unfairness,

(2) Involve the improper use of rank or position for personal gain, or

(3) Create an actual or clearly predictable adverse impact on discipline, authority, or morale.

g. Relationships between officer and enlisted soldiers are prohibited and are contrary to the custom of the service and may constitute the offense of fraternization under the provisions of Article 134, UCMJ. (See para 83, Part IV, MCM, 1984.) Matters involving commercial transactions and/or other commercial solicitations between DA personnel are governed by AR 600-50.

### **5-8. Disciplinary powers of the commanding officer**

a. See MCM, United States, regarding the disciplinary powers of the commanding officer.

b. In exercising authority to use nonpunitive measures, as explained in paragraph 1g, Part V, MCM, and AR 27-10, paragraph 3-3a, if the soldier to be administratively reprimanded is no longer a member of that command, the commander concerned will send the reprimand directly to the individual at his or her current duty station. (See paras 4-2g(3), 4-2g(4), and 5-6.)

c. Disciplinary measures should be tailored to the nature and circumstances of specific offenses. Commanders will not restrain disciplinary powers of subordinates by limiting the number of times various types of disciplinary actions are allowed.

d. See Part III, MCM, 1984 (Rev) for reports required to be submitted in certain cases involving—

(1) A change in status of an officer resulting from court-martial, or

(2) A transfer of an accused person from the general court-martial jurisdiction that has been designated as having custody of the accused.

### **5-9. Private indebtedness and financial obligations**

See AR 210-7 and AR 600-15 for private indebtedness and financial obligations.

### **5-10. Settlement of local accounts on change of station**

To ensure that organizations and individuals have properly settled their accounts, commanders will—

a. Make every effort to settle local accounts of their organizations before movement.

b. Take action, by mail, to promptly settle organizational accounts with local firms when unable to settle before movement.

c. Take action when needed, under UCMJ, Articles 15, 121, 123a, 133, or 134, when soldiers under their command issue checks against an account with insufficient funds or fail to clear their personal accounts before departure from their stations. When indebtedness information is received after a soldier departs from the station, the commanding officer will take action outlined in AR 600-15. This refers to the commanding officer of the station at which personal accounts remain unsettled.

### **5-11. Civil status of members of the Reserve Components**

a. Reserve Component (RC) members, not serving on active duty, are not considered to be officers or employees of the United States solely by reason of their Reserve status. They may accept and receive pay for employment in any civil branch of the public service, in addition to any pay and allowances they may be entitled to under the laws governing RCs.

b. A member of the RC, not serving on active duty, may practice his or her civilian profession or occupation before or in connection with any department of the Federal Government, except as specifically provided to the contrary in certain U.S. laws.

c. Many laws impose limitations on activities in which persons may engage after terminating active duty or employment by the United States. The underlying principle of these laws is that it is improper for a person who has handled a Government matter to leave public service and then represent the other side in connection with the same (or a closely related) matter. (See 18 USC 207.)

d. RC members who are officers and employees of the United States or the District of Columbia are entitled to a leave of absence from their civilian employment. This leave of absence will be granted without loss of pay, time, or efficiency rating on all days during which they are ordered to duty with troops or field exercises, or for instruction, for periods not over 15 days in any calendar year. As an exception, officers and employees of the United States or of the District of Columbia who are members of the Army National Guard of the District of Columbia are authorized leave for all days (no limit) on which they are ordered to duty for parades or encampment under 5 USC 6323(c).

e. RC members may accept and be paid for civil employment with any foreign government, when approved by the Secretary of the Army and the Secretary of State. (This includes any concern controlled in whole or in part by a foreign government.) (See AR 600-291 for processing applications.)

### **5-12. Release of personnel rosters, orders, or similar documents**

a. Release of personnel rosters, orders, or similar documents listing names and duty addresses of military personnel (including RC personnel) will be done according to AR 340-21. Policies governing public release of home addresses and guidance for handling requests for home addresses are found in AR 340-21. (See para 3-5.)

b. Commanders at all levels will familiarize those concerned with provisions of AR 340-21.

### **5-13. Congressional activities**

a. *Communicating with a member of Congress.* No person may restrict any member of an Armed Force from communicating with a member of Congress, unless the communication is unlawful or violates a regulation vital to the security of the United

States. (See 10 USC 1034.) No person will be penalized or disciplined solely for having communicated with a member of Congress, either personally or through other persons. However, leaders are responsible for continually advising subordinates to seek advice or assistance within the chain of command, from proper staff agencies, or from the inspector general if there is a complaint. Soldiers should also be informed that a communication concerning a personal problem that is sent to anyone who is not in the local chain of command will be returned to the local commander. It will be returned for the commander's consideration before action can be taken to render assistance. They should also be advised to so inform members of their families.

b. *Appearance before congressional committees.* It is DA policy to provide maximum information about its operation and activities available to congressional committees. This information is subject to the provisions of AR 380-5, paragraph 7-105. When asked to appear before a congressional committee, Army military personnel will coordinate with the Chief of Legislative Liaison, Office of the Secretary of the Army for guidance or assistance. Coordination will be accomplished with the Comptroller of the Army on matters pertaining to the budget.

#### 5-14. Publishing of articles

DOD policy precludes military personnel who wish to engage in public writing for personal profit from having access to classified current technical operational military information. In this regard, Army members are viewed exactly the same as civilian professional writers. (See AR 360-5.)

#### 5-15. Student officer studies

All studies prepared as a part of their official duties by students at Army Service Schools will be used for official purposes only. They will not be made available for publication or release in any manner that would indicate DA endorsement. This is not intended to preclude writing special articles on military subjects for publication if review and clearance for publication are obtained (AR 360-5).

#### 5-16. Participation in support of civilian law enforcement agencies

a. Commanders and supervisors will neither sanction nor lend support to using military personnel as sources or informants for civilian law enforcement agencies in the 50 States and the District of Columbia, or Trust Territories of the United States except when there is evidence that the alleged criminal activity involves—

- (1) Persons subject to UCMJ, or
- (2) Military property.

b. This will not be construed to prevent military personnel from reporting crimes or other suspicious activities to civilian police agencies or otherwise cooperating with civilian police authorities in their capacities as

private citizens. Neither does it preclude the mutual exchange of police information.

#### 5-17. Participation in pageants and shows for civilian entertainment

Guidance on military personnel taking part in pageants or shows designed mainly to entertain the public in the civilian domain is set forth in AR 360-61, chapter 4. Exceptions to policy will be sent through command channels to HQDA (SAPA-CR), WASH DC 20310-0300.

#### 5-18. Membership campaigns

DA recognizes, supports, and benefits from the activities of many worthy organizations, associations, and clubs. Many of these are quasi-military and are composed largely or entirely of active or retired military personnel. Moreover, a number of them conduct meetings and other activities on military posts.

a. In supporting such organizations and associations, post commanders and heads of DA Staff agencies will—

(1) Insure that membership among personnel under their jurisdiction is truly voluntary.

(2) Prohibit any practice that involves or implies compulsion, coercion, influence, or reprisal in the conduct of membership campaigns. This prohibition includes repeated orientations, meetings, or similar counseling of persons who have chosen not to join after having been given a chance to do so. It also includes using membership statistics in support of supervisory influence.

(3) Prohibit any practice that involves or implies DA sponsorship of the organization and its activities.

b. This policy will not be construed as barring reasonable efforts to inform and encourage personnel, without coercion, regarding the benefits and worthiness of such organizations and of membership therein.

### Section II Political Activities and Public Demonstrations

#### 5-19. General

This section sets forth standards that govern Army members taking part in political activities and public demonstrations. Violation of the provisions of this section provides a basis for disciplinary action under the UCMJ for those subject to its provisions.

#### 5-20. Political activities

a. Army members are expected and urged to carry out their obligations as private citizens. While on active duty, however, they are prohibited in certain cases from becoming a candidate for or holding civil office and engaging in partisan political activities. (See paras 5-23 and 5-24.) The following principles apply:

(1) Army members may—

(a) Register, vote, and express their personal opinion on political candidates and issues, but not as a representative of the Armed Forces.

(b) Contribute money to a political party or political committee favoring a particular candidate or slate of candidates. (These contributions are subject to the limitations of 603, 606, and 607.)

(c) Attend partisan or nonpartisan political meetings or rallies, except as prohibited by paragraph 5-21.

(2) Army members may not—

(a) Use their official authority or influence to interfere with an election, affect the course of its outcome, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.

(b) Be a candidate and hold civil office, except under the conditions set forth in paragraphs 5-22 and 5-23.

(c) Take part in partisan political management, campaigns, or conventions.

(d) Give campaign aid in any form to a partisan political candidate, to another member of the Armed Forces, or to an employee of the Federal Government other than that specified in a above.

b. To help apply the foregoing general provisions to factual situations, appendix B shows samples of permissible and prohibited political activities. These guidelines do not supersede other related Army Regulations dealing with dissident and protest activities among members of the Army, but are to be used in conjunction with them.

c. Appendix C contains a summary of Federal statutes prohibiting certain types of political activities by members of the Armed Forces.

#### 5-21. Participation in political meetings or rallies, picket lines, and public demonstrations

Taking part in partisan or nonpartisan political meetings or rallies, picket lines, or any other public demonstrations may imply Army sanction of the cause for which the demonstration or meeting is conducted. Unless sanctioned by competent authority, Army members are prohibited from taking part as follows:

a. During the hours they are required to be present for duty.

b. When they are in uniform, on a military reservation, or in a foreign country.

c. When their activities constitute a breach of law and order.

d. When violence is reasonably likely to result.

#### 5-22. Candidacy for elective office

a. A member of the Army may not campaign as a partisan candidate for nomination or as a partisan nominee for civil office. However, when circumstances justify, the post commander may permit the member to file such evidence of nomination or candidacy for nominations as may be required by law. This permission will not authorize activity while on active duty that is otherwise prohibited by paragraphs 5-21b or B-2.

b. An Army member may not become a nonpartisan candidate for any civil office requiring full time service while serving an initial tour of extended active duty. This



provision also applies to tours of extended active duty that resulted from schooling, or other training wholly or partly at the expense of the Government.

#### **5-23. Prohibition against election or appointment to civil office**

a. Officers on the active list of a regular component of an Armed Force may not hold a civil office, except as otherwise provided by law.

b. Officers on the active list of a RC and enlisted personnel may be retired, discharged, or released to inactive duty, as appropriate, if they are—

(1) Elected as a partisan candidate to any civil office or as a nonpartisan candidate to a civil office requiring full-time service.

(2) Appointed to a civil office requiring full time service. However, members in the categories of initial extended active duty and funded schooling (para 5-23b) will not be released. In selected cases, the Secretary of the Army may release reservists from their active duty obligations and permit them to accept the civil office to which elected.

### **Section III Medical Care**

#### **5-24. General**

An Army member on active duty or active duty for training will usually be required to submit to medical care considered necessary to preserve his or her life, alleviate undue suffering, or protect or maintain the health of others. A commanding officer may order the hospitalization of any member of his or her command or order him or her to submit to a medical examination when indicated. This is done with the concurrence of the medical treatment facility commander. Medical care, as used in this section, means preventive, diagnostic, therapeutic, and rehabilitative medical, surgical, psychiatric, and dental treatment.

#### **5-25. Medical care performed with or without the member's permission**

a. Under the following circumstances, medical care may be performed with or without the soldier's permission:

(1) Emergency medical care required to save the life or health of the soldier. This will be determined by the attending physician. If the soldier should refuse treatment required, and the unit commander is not available, the hospital commander may order the treatment given.

(2) Immunization required by AR 40-562 or other DA directives (subject to any limitation stated in these directives).

(a) The policy of authorizing forcible immunization is intended to protect the health and overall effectiveness of the command as well as the health of the soldier. Soldiers do not have an option as to whether they will be immunized except as described in AR 40-562, paragraph 9 and paragraph 5-39e herein.

(b) In performing this duty, medical personnel are expected to use only the amount of force needed to give the immunization. Any force necessary to overcome a soldier's reluctance to immunization will normally be provided by personnel acting under orders from the soldier's unit commander. Every reasonable effort should be made to avoid the need for disciplinary action. However, soldiers should be advised that they may subject themselves to disciplinary action by resisting. They should also be informed that they will be inoculated with or without their consent. Also, before any mandatory immunization, members should be counseled concerning the many other reasons why they should submit to the required inoculation.

(3) Isolation and quarantine for cases of suspected or proven communicable disease, when appropriate.

(4) Detention on closed wards when needed to insure proper medical supervision or to protect the soldier or others from harmful acts.

(5) Medical care related to the mental disorders of soldiers who have been found incompetent by a medical board, if life or health is not likely to be endangered by such procedures or care. (This provision also applies if the soldier is believed to be incompetent and medical board action is pending.) These soldiers may also be given routine medical care needed to treat minor ailments.

(6) Medical care of a diagnostic nature in order to determine whether a situation exists that would authorize other medical care to be performed with or without the soldier's permission.

(7) Physical examinations and associated procedures when—

(a) Required by law or regulation; or

(b) Authorized to be performed without consent by law or other regulations; or

(c) Directed by an individual's commander or other appropriate official in order to determine the individual's fitness for duty.

b. Nothing in this section limits the authority of appropriate officials to order the performance of medical procedures for the purpose of obtaining evidence without the consent of the individual concerned, and without board action under paragraph 5-30, in cases where such procedures are authorized under other regulations or the Military Rules of Evidence, Manual for Courts-Martial.

#### **5-26. Refusal to submit to medical care other than care described in paragraph 5-25**

Army members on active duty or active duty for training who refuse to submit (or whose court-appointed guardian or other legal representative objects) to recommended medical care will be referred to a medical board. (See AR 40-3, para 7-5.) When a soldier refuses to submit to recommended care because of religious practices, the provisions of paragraph 5-39c apply.

d. The examining medical board's report should contain answers to the following question:

(1) Is the proposed treatment required to relieve the incapacity and aid the soldier's return to a duty status, and may it be expected to do so?

(2) Is the proposed treatment an established procedure that qualified and experienced physicians ordinarily would recommend and undertake?

(3) Is the soldier's refusal to undergo treatment reasonable or unreasonable or, in the case of a mentally incompetent soldier, is compulsory treatment warranted? (The risks ordinarily associated with the proposed treatment, the member's age, general physical condition, and his or her reasons for refusing treatment should be considered.)

b. Generally, refusal of medical care may be considered as unreasonable without substantial evidence that the treatment is inadvisable. However, in deciding whether refusal of medical treatment, including surgery, is reasonable or unreasonable, the board should consider among other things—

(1) Existing evidence that the physical or mental treatment is inadvisable.

(2) Previous unsuccessful operations and procedures.

(3) Any special risks involved in the proposed medical treatment.

c. The report of the medical board proceedings will show the need and risk of the proposed medical care refused by the soldier. Moreover, it will show that the soldier was given the chance to appear in person and will indicate if his or her condition permitted appearing. The report will further show that the member was given the chance to submit a written statement explaining the grounds for refusal. Any statement submitted will be sent with the report.

d. Soldiers believed to be incompetent will be aided by an appointed counsel who may appear in their behalf. The counsel need not be legally qualified.

e. If the approved findings of the examining medical board show that the proposed medical care is needed to protect the soldier's health, the health of others, or is necessary to enable the soldier to perform his or her duties properly, and the board findings also state that the proposed care will have such effect, the soldier will be so informed. Moreover, he or she must be given the chance to accept the prescribed medical care. If the soldier still refuses, the medical treatment facility commander will send the medical board proceedings to HQDA (DASC-PSC), WASH DC 20310-0300 for review. When refusal to submit to the prescribed medical care is based on religion, The Surgeon General (TSG) will refer the medical board proceedings to the Committee for Review of Accommodation of Religious Practices within the U.S. Army for review and an advisory opinion before action. TSG will approve or disapprove the medical board proceedings and return them

to the medical treatment facility commander. If TSG approves the medical board proceedings, the soldier will again be given the chance to accept treatment. If the soldier persists in refusing the medical care, the medical treatment facility commander will refer the matter to the proper Special Court-Martial Convening Authority. Copies of the medical board proceedings will be provided. If the Special Court-Martial Convening Authority orders the soldier to submit to treatment and the soldier refuses to obey, the commander may—

(1) Take disciplinary action according to MCM.

(2) Take administrative action to separate the soldier from service through retirement, discharge, et cetera.

#### **Section IV Complaints or Accusations Against Military Personnel**

##### **5-27. General**

The policies outlined in this section are intended to provide broad and general guidance. The Inspector General Action Request System (which differs in procedure from that set forth in paragraph 5-28) is governed by AR 20-1, chapter 3. Accusations of a criminal nature are reported and investigated according to AR 1-32 and AR 195-1.

##### **5-28. Command responsibilities**

When a written complaint or accusation is received against military personnel, commanding officers of units or installations will take action as noted below. All complaints will be acknowledged and/or documented in writing.

*a. Complaints forwarded from higher headquarters.*

(1) When final action on a complaint received from higher headquarters for investigation and a report of findings is completed, the complaint will be returned to that headquarters. It will be accompanied by the report of investigation. Unless higher headquarters has expressed a desire to reserve decision on the disposition of the complaint or accusation pending receipt of investigation, the case will be disposed of at the lowest level having authority consistent with the gravity of the case. When higher headquarters has reserved the right to approve disposition of the case, the report of investigation will be returned and final action withheld pending disposition instructions. Higher headquarters normally will reserve the right of final disposition only in cases involving complex issues or cases that the commander desires, in the interest of justice, and to insure uniform handling throughout the command.

(2) Complaints, received after a soldier has been transferred either to a continental United States (CONUS) or outside the continental United States (OCONUS) assignment and that indicates investigation is warranted by the new commanding officer,

will be forwarded to the soldier's gaining organization. The headquarters that sent the complaint will be advised of the referral.

*b. Complaints received initially by units or installations.*

(1) When warranted, the complaint will be investigated. When appropriate, proper action will be taken as noted in a(2) above.

(2) If the commander believes the complaint does not warrant an investigation, the statement "does not warrant investigation" will be recorded on the complaint. The initials of the commander or a responsible officer designated by the commander will be placed after the statement. The complainant will be advised that a decision has been made that further action on the complaint is not warranted. Such complaints will be maintained and disposed of in accordance with AR 340-18-7.

*c. Complaints concerning retired personnel not on active duty.* Complaints or accusations against retired personnel not on active duty normally are outside the Army's responsibility. Upon receiving written complaints or accusations against such personnel, replies will be made thereto advising that such matters are outside DA responsibility and should be pursued through the civil courts. As an exception, upon receiving a complaint or an accusation of fraud against the Government, or of engaging in a prohibited activity affecting the Government, the matter will be sent to the Commander, U.S. Army Finance and Accounting Center, Department 90, Indianapolis, IN 46249 for disposition. The complainant or accuser will be advised of the referral.

##### **5-29. Filing**

Unfavorable information concerning a soldier will not be filed in his or her record except as provided in AR 600-37, chapter 2.

#### **Section V Pregnancy and Dependent Care Counseling**

##### **5-30. Counseling procedures**

*a.* Commanders will identify enlisted member of their command whose status is defined in (1), (2), and (3) below. They will counsel them on their rights and responsibilities for care of family members as they relate to their responsibilities to the Service.

(1) Pregnant Army members will be counseled according to AR 635-100 or AR 635-200.

(2) The following enlisted personnel will be counseled using DA Form 5304-R (Family Care Counseling Checklist):

(a) In-service couples with family members. Soldiers of all the regular and RC of any Service married to each other, who jointly have physical and legal custody of one or more children under age 18, or family members incapable of self-care regardless of age.

(b) Single member sponsors (SMS). Soldiers of the active or a RC who have no

spouse or are legally separated from a spouse but have physical and legal custody of one or more children under age 18, or family members incapable of self-care regardless of age.

(3) Officer personnel, in the same status as stated in (2) (a) or (b) above, who have less than 3 years active service will be counseled using DA Form 5304-R. DA Form 5304-R will be reproduced locally on 8½ x 11 inch paper. A copy for reproduction purposes is located at the back of this regulation.

*b.* Service members married to other soldiers and jointly responsible for care of dependents will, when practicable, be counseled together.

*c.* Service members will arrange for the care of their family members so as to—

(1) Be available for duty when and where the needs of the Service dictate.

(2) Be able to perform assigned military duties without interference.

(3) Remain eligible for worldwide assignment.

*d.* Commanders must stress the obligations in c. above. Moreover, they must insure that soldiers know they will not receive special consideration in duty assignments or duty stations based on their responsibility for dependents. As an exception, see AR 635-100, paragraph 3-103. The main evidence that members have made adequate arrangements for the care of their dependents will be the execution of DA Form 5305-R (Statement of Understanding and Responsibility). DA Form 5305-R will be locally reproduced on 8½ x 11 inch paper. A copy for reproduction is located at the back of this regulation.

*e.* Service members will be further counseled as noted below:

(1) Enlisted members will be counseled regarding the involuntary separation provisions in AR 635-200, paragraph 5-8. These provisions should be carried out whenever parenthood interferes with military responsibilities.

(2) Enlisted members will be counseled regarding AR 601-280, chapter 6, about a bar to reenlistment for failure to provide an approved Family Care Plan, or for failure to manage family affairs.

(3) Officers will be counseled regarding AR 635-100, chapter 3, section XV and chapter 5, section IV.

*f.* Single member sponsors and Service couples with dependent family members who have received assignment instructions for an oversea assignment and plan to take their family members will be counseled that—

(1) They must arrange for a guardian to care for their dependent family members in CONUS if their family members should be evacuated from OCONUS.

(2) Prior to departure, members required to sign a DA Form 5304-R will be required to provide the name, address, and phone number of a person designated as guardian to care for dependent family members.

(3) The balance of the family care plan will be completed upon arrival at the new oversea unit.

(4) Personnel who are unable to provide required names will be ineligible for family travel and will be deployed on "all others" tours. Such members, if careerists, will be barred from reenlistment.

(5) Enlisted personnel who are unable to deploy because of parental responsibilities will be processed for separation under AR 635-200, paragraph 5-8; officers will be processed for separation under AR 635-100, paragraph 5-12.

### 5-31. Procedures for completion of DA Form 5304-R and DA Form 5305-R

a. The commander and enlisted member will sign DA form 5304-R after proper counseling. The enlisted member will be informed that DA Form 5305-R must be completed and approved by the unit commander within 2 months of the date of counseling.

b. Officers and enlisted personnel in grades E-6(P), E-7, E-8, and E-9 will not be required to sign DA Form 5304-R or submit a DA Form 5305-R, but will be expected to maintain a personal family care plan.

c. Any commander in the chain of command can either approve or recommend disapproval of the Family Care Plan. Recommendations for disapproval, with full justification, will be forwarded through channels to the officer exercising special court martial authority over the member. The special court martial convening authority will either approve the plan or recommend disapproval and forward the plan to the officer exercising general court martial convening authority over the soldier. Family Care Plans may be disapproved by the general court martial convening authority or by commanders listed in AR 635-200, paragraphs 1-21a, 1-21b, and 1-21c.

d. Justification for recommending approval or disapproval should be based on whether, in the opinion of the member's superiors—

(1) The soldier has explained, to the satisfaction of the commander, his or her plans for circumstances listed in the Statement of Understanding and Responsibility and that such plans are reasonable and workable.

(2) The Family Care Plan reflects a reasonable and workable solution for each contingency listed in the Statement of Understanding and Responsibility.

(3) The member's status as a single member sponsor or in-service married partner has not interfered with the performance of military duties.

(4) The member is available for worldwide assignment except as provided for in AR 635-200, paragraph 3-103.

e. DA Form 5305-R will be approved, or disapproval will be recommended, by the unit commander and filed in the unit files within 2 months of the date of counseling. One copy will be provided to the individual. If a commander recommends disapproval of

the plan, the member will be given a chance to send added documents through channels to the general court martial convening authority or to the commanders listed in AR 635-200, paragraphs 1-21a, 1-21b, and 1-21c. However, processing of the original plan will not be delayed while awaiting these documents. DA Form 5304-R and DA Form 5305-R will be removed from the unit files and destroyed upon the individual's departure from the unit.

f. DA Form 5305-R will be recertified periodically but, at a minimum, during the anniversary of the member's birth month. It will be revised after any change of circumstances that require a change in family care arrangements. The commander, or designated representative, will indicate recertification of approval by initialing and dating DA Form 5305-R.

g. Comments or questions on carrying out counseling policies or procedures will be sent to HQDA (DAPE-MPD-DR), WASH, D.C. 20310-0300.

h. Comments or questions regarding reenlistment should be directed to HQDA (DAPC-MPD-EP) WASH, D.C. 20310-0300.

### 5-32. Testing of family care plans

Maximum testing of the validity of Family Care Plans should be accomplished in exercise and other unit activities to insure the plans can be executed.

## Section VI

### Accommodating Religious Practices

#### 5-33. Policy

The Army places a high value on the rights of its members to observe tenets of their respective religions. It is the Army's policy to approve requests for accommodation of religious practices when they will not have an adverse impact on military readiness, unit cohesion, standards, health, safety, or discipline. However, accommodation of a soldier's religious practices cannot be guaranteed at all times but must depend on military necessity. (See DA Pam 600-75 for information on procedures.)

#### 5-34. Responsibilities

a. The Deputy Chief of Staff for Personnel (DCSPER). The DCSPER will—

(1) Establish policy on the accommodation of religious practices within the U.S. Army.

(2) The DCSPER will form and designate a chair of a standing committee to meet on call to evaluate the Army's policies and procedures in implementing DOD Directive 1300.17. The committee will provide recommendations to the DCSPER on any request for accommodation of any religious practice not contained in paragraphs 5-38 thru 5-41 and advice as requested by commanders and soldiers. This committee will be titled "The Committee for Review of Accommodation of Religious Practices within

the U.S. Army". The Committee will consist of representatives from the following Army Staff agencies:

(a) Office of the Deputy Chief of Staff for Personnel.

(b) Office of the Deputy Chief of Staff for Operations.

(c) Office of the Deputy Chief of Staff for Logistics.

(d) Office of the Chief of Chaplains.

(e) Office of the Inspector General.

(f) Office of the Judge Advocate General.

(g) Office of the Surgeon General.

b. For the benefit of the Government the following should ensure that every enlisted, candidate, cadet, warrant officer, or commissioned officer applicant (to include reenlistment) is informed of the Army's policies concerning accommodation of religious practices as set forth in this regulation:

(1) Commanding General, U.S. Army Recruiting Command (for all enlisted and Nurse Corps accessions).

(2) Commanding General, U.S. Army Training and Doctrine Command (for all Reserve Officer Training Corps cadets and officer and warrant officer candidates).

(3) The Surgeon General (for all AMEDD Officer accessions less Nurse Corps accessions).

(4) The Judge Advocate General (for all Judge Advocate officer accessions).

(5) The Chief of Chaplains (for all Chaplain officer accessions).

(6) Superintendent, U.S. Military Academy (for all U.S. Military Academy cadet applicants).

(7) The Deputy Chief of Staff for Personnel (for all applicants for reenlistment).

c. The applicant should acknowledge that the accommodation of religious practices cannot be guaranteed but will only be approved by commanders when the religious practice will not have an adverse impact on military readiness, unit cohesion, standards, health, safety, or discipline. The applicant should further be advised that the conditions of accommodation may be changed by the unit commander or other appropriate authority based on military need.

d. The Chief of Chaplains is the proponent for and will formulate and disseminate education and training programs regarding religious traditions and practices and policies within the U.S. Army using the U.S. Army Chaplain Center and School.

e. Commanding General, TRADOC, and other MACOM commanders will ensure that training on the provisions of this chapter be provided in appropriate instruction programs for commanders at unit level through brigade, chaplains, and judge advocates to ensure compliance with and understanding of the Army's policies on this subject.

f. Unit commanders will consider and approve or deny, as appropriate, requests for accommodation of the religious practices defined in paragraphs 5-37 through 5-40. They can rescind previously granted accommodations of religious practices when



necessary. Any request for accommodation of religious practices not addressed by this regulation may be sent for consideration through command channels to HQDA (DAPE-HRL), The Committee for Review of Accommodation of Religious Practices within the U.S. Army, WASH, DC 20310-0300.

### 5-35. Guidelines

a. Requests for accommodation of religious practices ordinarily should be considered using a two-step process.

(1) The unit commander will determine if the request is one of religion. Only religious based practices should receive special consideration under this section.

(2) The unit commander will determine if the requested accommodation would have an adverse impact on military readiness, unit cohesion, standards, health, safety, or discipline.

b. Religious practices are not limited to the mandatory tenets of a faith group. Religious practices required by individual conscience may warrant consideration for accommodation even if not necessarily based on the tenets of a recognized religious faith. Questions of whether a practice is religious should be referred to the serving chaplain and judge advocate, or to the committee discussed in para 5-34.a(2).

c. When considering whether to grant a request for accommodation of religious practices, the unit commander will consider the following factors along with others deemed appropriate:

(1) The importance of military requirements in terms of individual and military readiness, unit cohesion, standards, health, safety, morale, and discipline.

(2) The religious importance of the accommodation to the requestor.

(3) The cumulative impact of repeated accommodations of a similar nature.

(4) Alternative means available to meet the requested accommodation.

(5) Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.

d. These factors in c above are set forth to promote a standard procedure for resolving difficult questions involving accommodation of religious practices and to recognize that each command is affected by different conditions that will require individual consideration.

e. Commanders may refer difficult or unusual questions about requested accommodations under paragraphs 5-36 through 5-40 or about other requested accommodations through his or her chain of command to The Committee for advice. A soldier may address any unresolved or unfavorably resolved requests for accommodation of religious practices through his or her chain of command to The Committee. The chain of command will forward any such request to The Committee for an advisory opinion as military necessity permits.

f. When requests for accommodation are not in the best interest of the unit, and continued conflict between the unit's requirements and the individual's religious practices is apparent, administrative action should be considered. These actions may include, but are not limited to, reassignment, reclassification, or separation. However, all commissioned or warrant officers with a service obligation due to education or training will only be separated by authority of HQDA after a review by The Committee and the appropriate Army Staff offices. Nothing in this paragraph precludes action under the UCMJ in appropriate cases.

### 5-36. Processing requests for accommodation of religious practices

DA Pam 600-75 provides an explanation of the policy and procedures for accommodating religious practices of soldiers in the U.S. Army.

### 5-37. Accommodation of religious worship practices

a. Some religious groups have worship requirements that conflict with the soldiers availability for duty, e.g., a 25-hour Sabbath, time for worship on days other than Saturday or Sunday on a normal basis, or for holy days or periods. The unit commander must determine when individuals must be available for duty. The unit commander is charged with the creation and maintenance of unit cohesion, discipline, readiness, and operational performance. Religious worship conflicts that involve these issues are best handled at the lowest level where personal relationships and knowledge of the circumstances exist.

b. Worship services, holy days, and sabbath observances will be accommodated except when precluded by military necessity. If the time required for religious worship is consistently during normal duty hours, the soldier may request an exception to normal duty hours. The soldier must be able to document the need for the exception and be prepared to perform alternative duty hours to maintain individual or unit readiness requirements. Ordinary leave may be an alternative for lengthy holy periods or days.

### 5-38. Accommodation of religious dietary practices

a. Some faith groups have religious tenets that prohibit the eating of specific foods or prescribe their preparation. These dietary restrictions are normally prohibitions against specific foods more than requirements to eat only a few select foods. Most of these needs can be met in garrison with the current diet while being more difficult in a field or combat environment. Meals-ready-to-eat (MRE) should accommodate most soldiers with religious dietary concerns.

b. A soldier with a conflict between the diet provided by the Army and the diet required by the soldier's religious practice may request an exception to policy to ration separately and take personal supplemental

rations when in a field/combat environment.

### 5-39. Accommodation of religious medical practices

a. Some religious practices that conflict with normal Army medical procedures. These conflicts include the belief in self-care and prohibitions against immunizations, blood transfusions, or surgery. The Army's concern with these beliefs is their potential effect on—

(1) An individual's health and ability to carry out assigned tasks.

(2) Military service medical systems and the unit.

(3) The health of others due to a lack of internationally accepted preventive medicine standards.

b. Non-emergency medical care for non-life threatening illness or injury. A soldier whose religious tenets profess self-care may request accommodation of this religious practice for non-emergency/non-life threatening illness or injury. However, the unit commander and the medical treatment facility commander will determine the time constraints for the soldier to recuperate without requiring medical care.

c. Refusal to submit to non-emergency care.

(1) Soldiers who refuse to submit (or whose court-appointed guardian or other legal representative objects) to recommended medical treatment because of religious practices will be referred to a medical board. A chaplain will be appointed as a member of the board. The examining medical board's report should contain answers to the following questions:

(a) Is the proposed treatment required to relieve the incapacity and aid the soldier's return to a duty status, and may it be expected to do so?

(b) Is the soldier's refusal to undergo treatment based on religious tenets reasonable or unreasonable? (The risks ordinarily associated with the proposed treatment and the soldier's age, general physical condition, and the reasons for refusing treatment should be considered.)

(2) The report of the medical board proceedings will show the need and risk of the proposed medical care refused by the soldier. Moreover, it will show that the soldier was given the chance to appear in person and will indicate whether conditions permitted an appearance. The report will further show that the soldier was given the chance to submit a written statement explaining grounds for refusal, as well as to have representation from the soldier's religious faith group. Any statements submitted will be included with the report.

(3) Soldiers believed incompetent will be aided by an appointed counsel who may appear in their behalf. The counsel need not be legally qualified.

(4) If the examining board finds that proposed medical care is needed to protect the soldier's health or the health of others, the

soldier must be informed and given the opportunity to accept the prescribed medical care. If the soldier still refuses, the medical treatment facility commander will send the medical board proceedings to TSG who will forward it to The Committee for Review of Accommodation of Religious Practices within the U.S. Army for an advisory opinion. TSG will approve or disapprove the medical board proceedings and return them to the medical treatment facility commander. If TSG approves the medical board proceedings, the soldier will again be given the opportunity to accept treatment. If the soldier persists in refusing medical care, the medical treatment facility commander will refer the matter to the soldier's special court martial convening authority in accordance with paragraph 5-26 with a copy of the medical board proceedings. The special court martial convening authority will then initiate administrative, nonjudicial, or judicial action, as appropriate.

**d. Emergency medical care.** In emergency situations the medical treatment facility commander will order or the attending physician will take immediate steps to save a soldier's life regardless of religious practices.

**e. Immunizations.** All Army personnel will receive immunizations as described in AR 40-562. Persons whose religious practices conflict with the requirements of AR 40-562 may request temporary waiver of the Area I immunizations or nonessential immunizations while stationed in CONUS units that have no contingencies for deployment to areas II, IYY, or IIP. Personnel in units with deployment contingencies to areas II, IYY, or IIP will be required to maintain immunizations as appropriate. Assignment limitations will not be granted for lack of immunizations due to religious practices.

#### **5-40. Accommodation of religious dress and appearance practices**

**a.** Subject to temporary revocation due to health, safety, or mission requirements, soldier may wear—

(1) Religious articles and jewelry that are not visible or apparent; and/or,

(2) Visible or apparent religious articles and jewelry under the same circumstances as authorized for nonreligious reasons.

(3) Religious skullcaps of plain design and unobtrusive color that do not exceed 6" in diameter while in living quarters, indoor dining facilities, and worship service locations.

**b.** Soldiers may submit requests for other exceptions to uniform wear and appearance standards to accommodate religious practices. These requests may be made in accordance with paragraphs 5-35 and 5-36. If wear of the type of article or the type of requested deviation has been requested from and approved by HQDA, commanders will approve bona fide requests for such exceptions, subject to temporary revocation due to health, safety, or military mission requirements. HQDA will evaluate each type

of requested article or deviation in terms of its impact on military readiness, unit cohesion, morale, standards, health, safety, and discipline and will publish periodically a list of types of articles and deviations it has approved. Commanders may request that their unit not be required to grant such exceptions due to special needs, inter-service situations, or other problems the exceptions have caused in their units. Such requests should be forwarded through command channels to The Committee.

**c. Chaplains may wear—**

(1) Religious attire as described in AR 670-1, CTA 50-909, and AR 165-20 in the performance of religious worship services.

(2) Religious headgear indoors if required by the tenets of the religious/denomination of the faith group the chaplain represents. Military headgear will be worn outdoors as specified by AR 670-1 or by the unit commander.

#### **5-41. Exceptions to policy**

Religious based exceptions to policy previously given soldiers under the provisions of AR 600-20 prior to 1 January 1986 will continue in effect for them as long as they remain otherwise qualified for retention. However, soldiers previously granted authority to wear unshorn hair, unshorn beard, or permanent religious jewelry under the provisions of AR 600-20, will not be assigned permanent change of station or temporary duty out of CONUS due to health and safety considerations.

#### **5-42. Recoupment of Federal funds**

All personnel separated or discharged from the U.S. Army because of conflict between their religious practices and military requirements are subject to recoupment as outlined in referenced directives.

## **Chapter 6 Determination of Precedence and Date of Rank**

### **Section I**

#### **6-1. General**

Sections I, II, and IV of this chapter establish procedures to determine date of rank (DOR) and relative precedence (e.g., seniority) of commissioned officers. Section III establishes procedures for determining Army of the United States (AUS) promotion eligibility dates (PED) for promotion of warrant officers to higher temporary grades. DORs are used to determine a commissioned officer's eligibility for promotion to grades above first lieutenant (1LT) on the active duty list (ADL). (See AR 624-100.) DOR and, as appropriate, AUS PED are used to determine a warrant officer's eligibility for promotion to temporary AUS grades and regular warrant officer grades. Section V establishes procedures to determine the relative precedence of enlisted personnel.

20 AUGUST 1986 UPDATE • AR 600-20

### **6-2. Responsibilities**

DOR and PED determinations are a General Staff responsibility of HQDA DCSPER. Designation of DOR and PED, within basic policies and procedures prescribed by this regulation, are command responsibilities as indicated below. Designation of ADL, DOR, and PED not anticipated by a provision of this regulation will be determined on an individual basis by the DCSPER or designee.

**a.** Except as indicated in paragraphs 6-4 and 6-5, the U.S. Army Military Personnel Center (MILPERCEN) will determine DOR and PED prescribed in this regulation. To assist MILPERCEN in determining DOR or PED, field commanders with military personnel offices (MILPO) must submit a copy of DD Form 220 (Report of Active Duty) and the active duty order. Also, if available, field commanders must submit—

(1) DD Form 214 (Release from Active Duty or Discharge).

(2) DA Form 1383 (Annual Statement of Retirement Points).

(3) NGB Form 23 (National Guard Retirement Credits Record).

(4) AGUZ Form 115 (Statement of Retirement Points).

(5) Letter Orders on transfers between Reserve Control Groups or units and USAR promotion letter for all officers in the categories described in paragraphs 6-5 through 6-11 whose DOR or PED will be determined by MILPERCEN. Documents should be forwarded to HQDA, ATTN: DAPC-MSP-D, 200 Stovall Street, Alexandria VA 22332-0400.

**b.** Field commanders with MILPO will determine the DOR for all 2LTs and WO1s.

**c.** DOR of officers not managed by MILPERCEN will be jointly determined by the Commanding General, MILPERCEN, TSG, TJAG, or, CCH, as appropriate.

## **Section II Commissioned Officers**

### **6-3. Precedence or relative rank**

Precedence and relative rank among commissioned officers, whether or not on active duty, is based first on grade. (See para 1-6 and table 1-1.) Rank among officers of the same grade is determined by comparing DORs. An officer whose DOR is earlier than the DOR of another officer of the same or equivalent grade is senior to that officer. These rules allow determination of precedence and relative rank among many different categories of commissioned officers (e.g. retired, active duty list, and Reserve officers).

**a.** Except as provided in paragraph (2) below, precedence or relative rank among commissioned officers on the ADL is based on the following criteria:

(1) Current grade in which serving on ADL.

(2) Current DOR of the grade in which serving on the ADL.

(3) DOR of commissioned grade in which previously served on active duty (other than for training).

(4) Previous active duty grade, or relative seniority, if applicable. This rule maintains the relative precedence and seniority as it, in fact, existed in a prior service grade.

(5) Total active Federal commissioned service.

(6) Date of appointment as a commissioned officer.

(7) Date of birth (by age is more senior).

(8) Alphabetical.

b. United States Military Academy (USMA) graduates who are appointed as 2LTs in the Regular Army (RA) on the USMA graduation date, will rank among themselves as 2LTs (RA) in order of their USMA class standing. Other than USMA graduates appointed in the RA from another military Service academy on that academy's main graduation date will have a DOR as 2LT RA the USMA main graduation date and be placed on the ADL by integrating their relative Service academy graduation class standing into the class standing of USMA graduates. USMA and other military Service academy graduates, who are appointed as 2LTs RA on a date other than the main graduation date of their Service academy, will have a DOR established under paragraph 6-4. Service academy graduates will have precedence on the ADL over all other 2LTs with the same DOR and rank among themselves in order of their relative class standing. Other 2LTs (RA and other than Regular Army (OTRA)) with the same 2LT DOR on the ADL as the USMA main graduation date will be placed on the ADL in the following order of precedence or relative rank (see table 6-1):

(1) Ahead of the main USMA class if they entered on active duty before the main USMA graduation date.

(2) After all Service academy graduates with the same DOR if they were placed on the ADL on or after the USMA main graduation date, in the order of relative precedence among themselves established under a(1) above.

#### 6-4. Procedure for determining DOR of Regular Army commissioned officers

a. This subparagraph will be used for determining the DOR of RA commissioned officers placed on the ADL on or after 15 September 1981, except for those DOR determinations governed by the transition provision of the Defense Officer Personnel Management Act (DOPMA).

b. DOR of RA officers upon placement on the ADL.

(1) The 2LT DOR of USMA graduates will be the date of their appointment as RA 2LTs. The 2LT DOR of graduates of a Service academy other than USMA, who graduate on the main graduation date of their Service academy and are appointed as 2LT RA under 10 USC 541(b) will be the main graduation date in the year of their appointment.

Table 6-1

#### General guide for determining dates of rank for 2LTs

This table is a general guide only and specific determinations must be made under the detailed applicable provisions of this chapter.

Category	2LT DOR
USMA Graduate <sup>1</sup>	USMA graduation date for that year
ROTC RA (May or June acceptance date)	USMA graduation date for that year
ROTC RA (Accepted the appointment in a month other than May or June)	Date of Appointment
ROTC OTRA (Appointed in May or June)	USMA graduation date for that year
ROTC OTRA (Accepted the appointment in a month other than May or June)	Date of Appointment
Direct Appointment	Date of Appointment
OCS Graduate	Date of Appointment
ROTC graduate who initially accepts an OTRA appointment and subsequently accepts an RA appointment	See note 2.

Note 1. The 2LT DOR for a USMA cadet who graduates after his or her normally scheduled graduation date will be the date of acceptance of the RA appointment.

Note 2. For this case, initially determine DOR under rules applying to OTRA appointments to determine a 2LT USAR DOR. Then use rules applying to RA appointments to determine a 2LT RA DOR.

(2) The 2LT DOR of Reserve Officer Training Corps (ROTC) cadets appointed as RA 2LTs under 10 USC 2106 or 2107 in May or June of any year is the same as the USMA main graduation date for that year. Eligibility for promotion on the ADL from 2LT to 1LT is based on PED rather than 2LT DOR. (See AR 624-100 for further guidance.)

(3) The DOR of an officer receiving an original appointment as a RA commissioned officer, other than as stated above, is the date the appointment is accepted unless the appointee was, at the time of appointment—

(a) A Reserve officer on the ADL, in which case the DOR is the same as the one the officer held immediately before his or her appointment as a RA officer or,

(b) A Reserve officer not on ADL, in which case the DOR will be the one that the officer would have had immediately before appointment as a RA officer, if the officer had been placed on the ADL as a Reserve officer on the date of appointment as a RA officer or,

(c) Not a Reserve officer, but credited with entry grade credit under 10 USC 533. In this case the DOR will be adjusted to an earlier date to the extent that the entry grade credit awarded is in excess of that required for the officer's appointment grade under applicable Army Regulations and Circulars.

c. The DOR of an RA commissioned officer who is promoted to a higher grade will be the date designated in the order that announces the promotion. Except as otherwise provided by law, this date will be the one on which the officer is appointed in the higher grade (10 USC 741(d)(2)). The DOR of an RA commissioned officer whose promotion was delayed under 10 USC 624 (d) will be in accordance with AR 624-100.

d. The DOR of RA commissioned officers not on the ADL (10 USC 641) will

not be adjusted if they are placed on the ADL without a new original appointment.

e. RA commissioned officers on a temporary disability retired list (TDRL), if reappointed in the RA and placed on the ADL in the grade held at the time of placement on the TDRL, will have the same DOR in the grade they had when placed on the TDRL.

f. The DOR of RA commissioned officers on any retired list (other than the TDRL) who are ordered to active duty will not be adjusted in connection with such order to active duty, and not placed on the ADL. Retired RA commissioned officers ordered to active duty in their retired status are not placed on the ADL (10 USC 641).

g. The DOR of an RA officer receiving an appointment to the temporary grade of lieutenant general or general (10 USC 601) will be the date of appointment, backdated by the period of the officer's prior service in the temporary grade in which appointed.

h. The DOR of an RA officer receiving an appointment to a temporary grade (other than lieutenant general or general) in time of war or national emergency (10 USC 603) will be the date designated in the instrument of appointment.

#### 6-5. Procedures for determining DOR of OTRA 2LTs upon placement on the ADL

The Commanding General, MILPERCEN, will notify servicing MILPOs of periods of commissioned service not in an active status for all 2LTs placed on the ADL. Unless notified by MILPERCEN that a 2LT has a period of inactive commissioned service, the MILPO will assume all service as a 2LT is in an active status. MILPOs will establish, subject to correction, a 2LT's DOR on the ADL according to the following rules:

a. For an OTRA ROTC 2LT appointed under the provisions of 10 USC 2106, 2107,

of 2107a in May or June of any year—his or her DOR upon such appointment will be the same as the USMA graduation date for that year. If all service as a 2LT, prior to being placed on the ADL, was in an active status, that DOR will not be adjusted upon placement on the ADL. If such an officer has some commissioned service after the date of appointment, but prior to placement on the ADL, which was in an inactive status, his or her DOR on the ADL will be calculated by the adjusted date of rank (ADOR). This calculation is made by backdating from the date of his or her placement on the ADL by a period equal to his or her service in an active status in that grade, except that such ADOR will not be earlier than the USMA graduation date in the year in which he or she was appointed.

b. For OTRA ROTC 2LTs, other than those described above (ROTC with May or June acceptance), and who were not credited with entry grade credit at the time of their most recent original appointment, their DOR upon such appointment will be the date the appointment is accepted. If all service as a 2LT, before being placed on the ADL, was in an active status, the DOR will not be adjusted upon placement on the ADL. If such an officer has some commissioned service after the date of appointment but prior to placement on the ADL, which was in an inactive status, his or her DOR on the ADL will be calculated by backdating from the date of placement on the ADL by a period equal to his or her service in an active status in that grade since such appointment. However, rarely, if ever, will a 2LT have a period of inactive status prior to placement on the ADL. Service in the Individual Ready Reserves (IRR) is considered service in an active status.

c. The Reserve DOR upon appointment of an OTRA 2LT, other than those described in (1) above, who is credited with entry grade credit (see glossary) upon his or her appointment as an OTRA 2LT, is the date the appointment is accepted, backdated by the period of entry grade credit so awarded. The grade and ADOR of such officers upon placement on the ADL will be determined as follows:

(1) An OTRA commissioned officer in the grade of 2LT, who was credited with entry grade credit at the time of his or her most recent original appointment, may be tendered a new original appointment in a grade higher than 2LT, coincident with placement on the ADL, if the period of service so credited equals or exceeds the promotion phase point in that higher grade on the ADL in the officer's competitive category as of the time of placement of the officer on the ADL. Except as provided in paragraphs 6-7, 6-8, or 6-9, the ADOR on the ADL in the higher grade to which appointed under this paragraph will be the date of placement on the ADL backdated by a period equal to the period of entry grade credit awarded at the time of the new original appointment (tendered in conjunction with placement on the ADL), which is

in excess of that used to establish the higher grade under this paragraph.

(2) For OTRA 2LTs not receiving a higher grade upon placement on the ADL under (1) above, their ADOR will be the date of placement on the ADL, backdated by the period of entry grade credit (see glossary) awarded at the time of their most recent original appointment.

#### **6-6. Procedures for determining DOR of OTRA 1LTs and above upon placement on the ADL**

a. An OTRA commissioned officer in a grade above 2LT, who was not credited with entry grade credit at the time of his or her most recent original appointment will be placed on the ADL in his or her current grade and he or she will have a DOR that precedes the date of placement on the ADL by a period equal to the period the officer has spent in an active status in his or her current grade.

b. Except as modified in paragraphs 6-7, 6-8, and 6-9, the DOR of an OTRA commissioned officer in a grade of 1LT or above who was credited with entry grade credit at the time of his or her most recent original appointment, and who is placed on the ADL in his or her current reserve grade (para 6-6c below), will have a DOR on the ADL established by backdating from the date of placement on the ADL by the lesser of the following:

(1) For officers who have received a Reserve promotion after their most recent appointment, the period of service in an active status in their current grade; or

(2) For officers serving in the grade to which appointed in their most recent original appointment, the sum of the entry grade credit awarded in excess of an active status grade since that appointment, plus any service in an active status in that grade; or

(3) The total period of entry grade credit awarded at the time of the most original appointment. Entry grade credit includes prior commissioned service performed before the most recent original appointment, but does not include commissioned service performed after the most recent original appointment.

c. An OTRA commissioned officer in the grade of 1LT or above who was credited with entry grade credit at the time of his or her most recent original appointment may be tendered a new original appointment in a grade higher than the officer's current grade coincident with placement on the ADL. If the period of service so credited equals or exceeds the promotion phase point in that higher grade on the ADL in the officer's competitive category as of the time of placement of the officer on the ADL, the officer's new original appointment is in the higher grade. An officer may not be placed on the ADL in a grade higher than major under this paragraph.

d. Except as provided in paragraphs 6-7, 6-8, or 6-9, the DOR on the ADL in the higher grade to which appointed under this paragraph will be the date of placement on the ADL, backdated by a period equal to

the period of entry grade credit awarded which is in excess of that used to establish the higher grade under c above.

#### **6-7. Grade and DOR of OTRA chaplains upon placement on the ADL**

a. Except as specified in c below, OTRA chaplains will be placed on the ADL in their current Reserve grades.

b. The DOR of OTRA chaplains placed on the ADL in their current Reserve grades will be established as follows:

(1) For OTRA chaplains placed on the ADL in their current Reserve grade of 1LT, who were awarded entry grade credit at the time of their most recent original appointment, their DORs are dates of placement on the ADL, backdated by the lesser of—

(a) The period by which the entry grade credit awarded exceeds the minimum time in grade requirement for promotion to 1LT under 10 USC 619 or

(b) Eighteen months.

(2) For OTRA chaplains, other than those described in (1) above, who are placed on the ADL in their current Reserve grades, DORs are their dates of placement on the ADL backdated by the lesser of—

(a) Three years or

(b) The period calculated under paragraph 6-6b.

c. OTRA chaplains in the Reserve grade of 1LT who received entry grade credit that included constructive service credit under categories 2 and/or 3, AR 135-100, paragraph 3-7, at the time of their most recent original appointments may be tendered a new original appointment. OTRA chaplains in the Reserve grade of captain who received any entry grade credit at the time of their most recent original appointment, may be tendered a new original appointment in a higher grade not above major upon placement on the ADL if the total period of entry grade credit awarded (of any kind) exceeds the promotion phase point to the higher grade in the chaplain competitive category.

d. The DOR of an OTRA chaplain placed on the ADL in a higher grade under c above will be the date of placement on the ADL in such higher grade.

#### **6-8. Grade and DOR of OTRA commissioned officers assigned to an AMEDD Corps upon placement on the ADL**

a. See paragraph 6-5 for provisions governing OTRA AMEDD commissioned officers receiving an original Reserve appointment as a 2LT.

b. If tendered a new original appointment in conjunction with being ordered to active duty, the grade will be determined as prescribed in AR 135-101. The DOR will be determined by backdating from the date of placement on the ADL by a period equal to the amount by which the entry grade credit awarded exceeds the promotion phase point in the promotion competitive category that established the entry grade.

c. If ordered to active duty and placed on the ADL in the Reserve grade currently held (without concurrent new original appointment), the DOR will be determined by backdating from the effective date of placement on the ADL by the lesser of—

- (1) Three years; or
- (2) The period calculated under paragraph 6-6b.

#### **6-9. Grade and DOR of OTRA Judge Advocate General's Corps (JAGC) officers upon placement on the ADL**

a. The grade and DOR upon original appointment of a commissioned officer appointed in a RC and assigned to the JAGC will be determined in accordance with AR 135-100 and AR 601-102.

b. A RC JAGC officer who is ordered to active duty and placed on the ADL will be placed on the ADL in his or her current Reserve grade unless appointed to the same or a higher grade in the RA. The provisions of paragraph 6-6c are not applicable to JAGC officers.

c. A 1LT who was originally appointed in that grade and who has 18 months or less service in an active status in that grade immediately prior to being placed on the ADL will be placed on the ADL in the grade of 1LT with a DOR 18 months prior to the date of placement on the ADL.

d. A 1LT who was originally appointed in the grade and who has more than 18 months service in an active status in that grade immediately prior to being placed on the ADL will be placed on the ADL in the grade of 1LT with a DOR calculated by backdating from the date of placement on the ADL by the lesser of—

- (1) The period of service in an active status in the grade of 1LT or
- (2) The total of any entry grade awarded at the time of the officer's most recent original appointment at the current grade.

e. The DOR of an officer who is placed on the ADL in his or her current Reserve grade of captain or higher will be the date of placement on the ADL backdated by a period equal to the lesser of—

- (1) The sum of—
  - (a) One year for each qualifying year for retirement under 10 USC 1332(a)(2) earned after 30 June 1955 in the grade (without regard to component) in which ordered to active duty and placed on the ADL, or a higher grade (fractional years are not counted) and
  - (b) All periods of active duty in the military service of the United States, performed in the grade in which ordered to active duty and placed on the ADL, or higher grade, (active duty performed during a retirement year determined to be a qualifying year under (a) above may not be credited under this paragraph) or
- (2) The period by which the amount of all entry grade credit awarded upon the most original appointment exceeds the JAGC ADL promotion phase point of the grade in which the officer is placed on the ADL; or

(3) The total period served in an active status in the current or a higher grade.

f. OTRA officers appointed under AR 601-337 who either receive a new appointment, or are placed on the ADL under this program, will have their DOR, upon placement on the ADL, determined under the procedures described in c above.

#### **6-10. Other provisions concerning OTRA commissioned officers**

a. The DOR of an OTRA officer who is promoted while serving on the ADL will be the date designated in the order on which the promotion is announced. Except as otherwise provided by law, this date will be the date the officer is appointed in the higher grade (10 USC 741(d)(2)). The DOR of an OTRA commissioned officer whose promotion was delayed under 10 USC 624(d) will be established in accordance with AR 624-100.

b. OTRA commissioned officers on the TDRL, if removed from that list, ordered to active duty, and placed on the ADL in the grade held at the time of placement on the TDRL, will have the same DOR in that grade that the officer would have if he or she had not been placed on the TDRL.

c. The DOR of OTRA commissioned officers on any retired list (other than the TDRL) who are ordered to active duty will not be adjusted in connection with such order to active duty. However, retired OTRA commissioned officers ordered to active duty in their retired status are not placed on the ADL (10 USC 641).

d. The DOR of an OTRA officer receiving an appointment to the temporary grade of lieutenant general or general (10 USC 601) will be the date of the appointment, backdated by the period of the officer's prior service in the temporary grade in which appointed.

e. The DOR of an OTRA officer receiving an appointment to a temporary grade (other than lieutenant general or general) in the time of war or national emergency (10 USC 603) will be the date designated in the instrument of appointment.

#### **6-11. Procedure for determining DOR of officers not on the ADL**

The DOR of an OTRA officer not on the ADL (other than retired OTRA officers ordered to active duty in their retired status) will be determined by the provisions of AR 135-100, AR 135-101, AR 135-155, and AR 614-120, as appropriate. The ADL grade and DOR of all commissioned officers are reflected in section III of the officer record brief (ORB) under ADOR.

### **Section III Warrant Officers**

#### **6-12. Precedence or relative rank**

a. Precedence and relative rank among WOs, whether or not on active duty, is based first on grade. (See para 1-6 and table 1-1.) Rank among WOs of the same grade is determined by comparing DORs. A WO

whose DOR in a grade and component is earlier than the DOR of another WO in the same grade and component is senior to that officer as follows:

(1) Warrant officers of the RA on active duty rank among themselves according to the following criteria:

(a) Temporary (AUS) grade or, in the case of officers who do not have an AUS grade, RA grade.

(b) DOR of temporary (AUS) grade or, if no DOR in AUS grade, by RA DOR.

(c) AUS promotion list status. Officers on an AUS list rank above those not on a list and rank among themselves by list sequence number.

(d) RA grade.

(e) RA grade DOR.

(f) RA active list sequence number.

(2) ARNGUS and USAR warrant officers on active duty rank among themselves according to the following criteria:

(a) AUS grade, or in the case of an officer serving on active duty who does not have an AUS grade, the officer's serving grade.

(b) Temporary (AUS) DOR or, in the case of an officer serving on active duty who does not have an AUS DOR, the officer's permanent DOR.

(c) AUS promotion list status. Officers on an AUS promotion list rank above those not on an AUS list and rank among themselves by list sequence number.

(d) Length of active Federal commissioned and warrant officer service.

(e) Length of total Federal service.

(f) Date of Birth (by age).

(g) Alphabetical.

(3) Among RA, ARNGUS, and USAR WOs on active duty precedence is determined first by their servicing grades and then by their DORs in those grades. If serving in the same grade (permanent or temporary (AUS)), and having the same DOR in that serving grade, RA WOs (as a group) rank above ARNGUS and USAR WOs.

b. Placement on lists will be governed as follows:

(1) WOs will be placed on AUS promotion lists based on the following criteria:

(a) Temporary (AUS) grade, or in the case of a WO on active duty who does not have an AUS grade, use the officer's serving grade.

(b) Temporary (AUS) DOR or, in the case of a WO serving on active duty who does not have an AUS DOR, use the officer's AUS PED.

(c) Active Federal commissioned officer and WO service.

(d) If RA or OTRA WOs are still ranked equally after application of the rules in (a) through (c) above, RA WOs rank ahead of all OTRA WOs and rank among themselves by RA active list sequence number.

(e) Reserve WOs by date of birth (by age).

(f) Alphabetical (Reserve only).

(2) For RA promotion lists and RA active list.

(a) RA grade.



(b) RA grade DOR.

(c) Date of RA appointment.

(d) Active Federal commissioned and WO service.

(e) Total of all commissioned officer and WO service.

(f) Date of birth (by age).

(g) Alphabetical.

c. Procedures for determining DOR or PED.

(1) The RA DOR for WOs on the active list is the DOR stated in their appointment order as determined below:

(a) RA grade and service credit upon original appointment will be determined in accordance with AR 601-100.

(b) RA DOR upon original appointment will be established by backdating from the date of appointment as RA WO by number of days of credit in excess of that required for appointment in his or her RA grade.

(c) RA DOR of a RA WO promoted to the next higher RA grade will be the DOR designated on the order that announces the promotion.

(2) The Reserve DOR for OTRA WOs will be determined under the provisions of AR 135-155.

(3) The temporary (AUS) DOR of a WO promoted to a higher temporary (AUS) grade while on active duty will be the date designated on the order that announces the promotion.

(4) Except as specified in (c) below, the AUS PED of a WO ordered to active duty in the grade of CW2 or CW3 will be determined by backdating from the entry on active duty date by a period equal to the total of—

(a) All prior Federal commissioned and WO service on active duty, in the grade in which ordered to active duty or a higher grade and,

(b) All service in Reserve active status while not on active duty (dual status excluded) in the grade in which ordered to active duty. (See fig 6-1, examples 3 and 4.)

(c) The CW2 AUS PED of a WO whose original appointment as a WO is in grade CW2 rather than WO1 under AR 135-100, paragraph 1-7b, to reflect prior commissioned service of 2 or more years, will be established as a date 2 years after the date computed under (a) and (b) above in order to avoid double credit for the officer's prior commissioned service.

(5) The AUS PED of a retired WO recalled to active duty will be backdated by a period of service equal to the officer's active duty time in his or her current grade. A WO1 is not assigned an AUS PED because his or her promotion eligibility to CW2, AUS, is governed by AR 624-100, paragraph 3-4. A CW4 is not assigned an AUS PED because he or she cannot be promoted to a higher AUS WO grade.

## Section IV Interservice Transfers

### 6-13. Precedence or relative rank for interservice transfers

a. A RC commissioned officer who transfers from another uniformed service will be awarded the same grade and DOR as the officer held in the losing uniformed service if the officer was on active duty in the losing uniformed service on the day before transferring.

b. A RC commissioned officer who transfers from another uniformed service will be awarded the same grade and DOR as the officer held in losing uniformed service if he or she was on extended active duty in the losing service on the day before transferring.

c. A commissioned officer who transfers from another uniformed service and who, upon transferring, was not on active duty in the losing uniformed service, will have a DOR established in accordance with paragraphs 6-4 through 6-11, as appropriate.

d. As an exception to a, b, and c, above, a commissioned officer who transfers from a professional competitive category (chaplain, AMEDD, or judge advocate) in the losing uniformed service to other than a similar competitive professional category will lose any constructive credit granted by the losing uniformed service under 10 USC 533, 5600 and/or 8353. His or her ADL grade will be determined in accordance with applicable provisions of DOD Directive 1300.4, AR 135-100, AR 135-101, AR 601-100, and AR 614-120. The officer's DOR will then be determined in accordance with paragraphs 6-4 through 6-11, as appropriate.

## Section V Enlisted Personnel

### 6-14. Precedence or relative rank

Among enlisted soldiers of the same grade or rank in active military service, including retired enlisted soldiers on active duty, precedence or relative rank is determined as follows:

a. According to date of rank.

b. By length of active Federal Service in the Army when dates of rank are the same.

c. By length of total active Federal Service when a and b above are the same.

d. Date of birth (by age—older is more senior).

### 6-15. Date of rank

a. The provisions of this paragraph, unless otherwise specified, are effective 8 June 1979.

b. The DOR for enlisted soldiers in the Army who have not had a break in active duty service and who reenlist in the same pay grade within 24 hours of discharge, is the DOR held in the pay grade prior to discharge.

c. The DOR for former enlisted soldiers or former officers (entitled to reenlist under 10 USC 3258) who reenlist in the RA is a

date preceding the reenlistment date by a period equal to the length of time previously served on active duty in the same or higher grade than that in which reenlisted. Service performed prior to reduction to a pay grade lower than that in which an individual reenlists is not creditable.

d. The DOR for promotion to a higher grade is the date specified in the instrument of promotion or, when no date is specified thereon, is the date of the instrument of promotion.

e. The DOR for a lateral appointment to a different rank within the same pay grade is the date held in the rank from which the appointment is made.

f. The DOR for the grade held during a period in which lost time occurs will be adjusted to reflect lost time accumulated for any reason. The provisions of this paragraph are retroactive to include adjustment of DORs held during previous periods of lost time.

g. The DOR in a grade to which reduced for inefficiency or failure to complete a school course is the same as that previously held in that grade. If reduction is to a grade higher than that previously held, it will be the date the soldier would have been eligible for promotion under the promotion criteria set forth for that grade under AR 600-200, chapter 7. (See AR 140-158, chap 4 for USAR enlisted soldiers on active duty in the Active Guard Reserve (AGR) program.)

h. Date of rank on reduction for all other reasons is the effective date of reduction. (See AR 27-10, chap 3, when a soldier is reduced under Article 15, UCMJ.)

i. The DOR on restoration to grade of rank from which reduced following successful appeal of the reduction, is the date held before reduction. (See AR 27-10, chap 3, when a soldier is reduced under UCMJ, art 15.)

j. Date of rank for enlisted reservists or guardsmen ordered to active duty (other than active duty for training) from the USAR or ARNG will be a date preceding the date of entrance on active duty by a period spent in an active status in the grade in which ordered to active duty subject to the following conditions:

(1) Only service performed after the most recent break in service is creditable. For the purpose of this paragraph, a period during which the soldier is not a member in any component of the Armed Forces is a break in service if such period is in excess of 3 months (enlisted soldiers) or 6 months (former officers).

(2) Service performed prior to reduction to a pay grade lower than that in which a person enters on active duty will not be credited.

k. The DOR for retired enlisted personnel who are recalled to active duty will be the DOR stated in HQDA MILPERCEN orders placing him or her on active duty. Such DOR is computed by adding to the DOR at the time of retirement, the period of time between the date of retirement, and

the date of return to active duty. In case of additional periods of inactive service, the DOR will be adjusted further.

l. The DOR for enlisted soldiers who immediately reenlist following removal from the TDRL is the original DOR held prior to being placed on the TDRL (10 USC 1211 (e)). Soldiers who do not immediately reenlist following removal from the TDRL will have their DOR established under the provisions of c above.

m. The DOR for enlisted soldiers on restoration to a higher grade held prior to reduction to comply with requirements to attend school under an Army program will be adjusted by a period equal to time served previously in the grade to which restored and the time served in the lower grade while attending the course for which enlisted in the lower grade. The provision of this subparagraph is retroactive to include enlisted soldiers who were restored to their former grade, because of withdrawal from the course, prior to the effective date of this change.

n. The DOR upon restoration to grade of rank for which HQDA, MILPERCEN, has awarded de facto status as a result of an erroneous promotion will be adjusted in accordance with figure 6-1, example 6. The provision of this subparagraph apply to any restoration accomplished on or after 15 September 1982.

**Table 1-2**  
**Comparable rank among the Services**

Army	Air Force	Marine Corps	Navy
<b>Commissioned officers</b>			
General of the Army	General of the Air Force		Fleet Admiral
General	General	General	Admiral
Lieutenant General	Lieutenant General	Lieutenant General	Vice Admiral
Major General	Major General	Major General	Rear Admiral (upper half)
Brigadier General	Brigadier General	Brigadier General	Rear Admiral (lower half)
Colonel	Colonel	Colonel	Captain
Lieutenant Colonel	Lieutenant Colonel	Lieutenant Colonel	Commander
Major	Major	Major	Lieutenant Commander
Captain	Captain	Captain	Lieutenant
First Lieutenant	First Lieutenant	First Lieutenant	Lieutenant (junior grade)
Second Lieutenant	Second Lieutenant	Second Lieutenant	Ensign
<b>Warrant Officers of all Services</b> Chief Warrant Officer, Four Chief Warrant Officer, Three Chief Warrant Officer, Two Warrant Officer, One			
<b>Cadets</b>			
Cadet	Cadet	none	Midshipman
<b>Enlisted Soldiers</b>			
Sergeant Major of the Army	Chief Master Sergeant of the Air Force	Sergeant Major of the Marine Corps	Master Chief Petty Officer of the Navy
Command Sergeant Major	Chief Master Sergeant	Sergeant Major	Master Chief Petty Officer
Sergeant Major	—	Master Gunnery Sergeant	—
First Sergeant	Senior Master Sergeant	First Sergeant	Senior Chief Petty Officer
Master Sergeant	—	Master Sergeant	—
Platoon Sergeant	Master Sergeant	Gunnery Sergeant	Chief Petty Officer
Sergeant First Class	—	—	—
Staff Sergeant	Technical Sergeant	Staff Sergeant	Petty Officer First Class
Sergeant	Staff Sergeant	Sergeant	Petty Officer Second Class
Corporal	Sergeant	Corporal	Petty Officer Third Class
Specialist Four	—	—	—
Private First Class	Airman First Class	Lance Corporal	Seaman
Private	Airman	Private First Class	Seaman Apprentice
Private	Basic Airman	Private	Seaman Recruit



**Example 1A**

2LT Richard Jordan, an ROTC graduate, was appointed as an RA 2LT under 10 USC 2106 or 2107 on 15 May 1984. The USMA graduation date for that year was 23 May 1984. 2LT Jordan entered on active duty on 15 May 1984. His 2LT DOR is 23 May 1984, the USMA graduation date for that year. (See para 6-4b(2).)

**Example 1B**

2LT May Jones, an ROTC graduate, was appointed as a USAR 2LT under 10 USC 2106 or 2107 on 24 May 1984 and entered on active duty on 31 May 1984. Her 2LT DOR is 23 May 1984, the USMA graduation date for that year. (See para 6-5a(1).)

**Example 1C**

2LT Gilbert Martinez, an ROTC graduate, was appointed as a USAR 2LT under 10 USC 2106 or 2107 on 16 May 1984 and entered on active duty on 1 July 1984. He served in an active status between 16 May and 1 July 1984. His 2LT DOR is the USMA main graduation date for that year. (23 May 1984) (See para 6-5a(1).)

**Example 1D**

2LT Sam Jones, an ROTC graduate, was appointed as a USAR 2LT under 10 USC 2106, 2107, or 2108 on 30 April 1984 and entered active duty on 31 May 1984. He served in an active status between 30 April and 31 May 1984. His 2LT DOR is 30 April 1984 since he was appointed in May or June. (See para 6-5a(2).)

**Example 1E**

2LT Moses R. Johnson, an ROTC graduate, was appointed as a USAR 2LT on 28 April 1980. He remained in the USAR (not on active duty) as a 2LT until 2 January 1982. While in the Reserves (not on active duty), he was in an active status from 28 April 1980 through 27 April 1981 and 22 June 1981 through 1 January 1982. He was in an inactive status from 28 April through 21 June 1981. He entered active duty for service on the ADL on 2 January 1982 and MILPERCEN advised the MILPO of 2LT Jordan's Reserve inactive status (28 April thru 21 June 1981).

Service Creditable	Years	Days
Active Status		
28 April 1980 through 27 April 1981	1	000
22 June 1981 through 1 January 1982		193
Total service in grade in an active status	1	193
Date of Rank Computation		
Entered active duty date (2 January 1982)	1981	367 <sup>1</sup>
Less service in grade in an active status	-1	-193
	1980	174 <sup>2</sup>

Note 1. 367th day after end of 1980 (year of 1981 (365 days)) plus 2 days = 367 days.  
Note 2. 2LT Johnson's DOR on the ADL is 22 June 1980 (See para 6-5a(2).) 174th day of 1980 is the 22nd of June 1980.

**Example 1F**

2LT Buck Lawrence, an ROTC graduate, was appointed as a USAR 2LT 2 August 1981 and entered active duty on 1 October 1981. He has never received credit under 10 USC 3353 and all of his reserve service has been in an active status.  
2LT Lawrence's DOR on the ADL is his date of appointment as a USAR 2LT, 2 August 1981. (See para 6-5a(2).)

**Example 1G**

SP5 Renaldo James graduated from OCS and was appointed a USAR 2LT on 14 May 1984. He entered on active duty for service on the ADL as a 2LT on 14 May 1984. 2LT James' DOR on the ADL is 14 May 1984 (See para 6-5a(2).) Although he was appointed in May, he was not appointed as an ROTC graduate under 10 USC 2106, 2107, and 2107a.

**Example 2**

1LT Amanda Boyd was promoted to captain in the USAR on 3 August 1980. While in the Reserve (not on the ADL), she was in an active status from 3 August 1980 through 9 October 1981. Captain Boyd entered active duty for service on the ADL on 10 October 1981. Her ADOR, 3 August 1980, is the date she was promoted to captain in the USAR. (See para 6-8.)

Figure 6-1. Sample of computation of date of rank

**Example 3**

WO1 Joe Johnson was promoted to CW2 on 9 July 1979 while on active duty. He was released from active duty on 2 June 1980 and entered a USAR reinforcement control group (active status). He served in an active annual training status through 4 August 1981. He transferred back to an active USAR control group on 7 April 1982. CW2 Johnson returned to active duty on 8 April 1982.

Service as CW2	AUS PED Computation	Days
9 July 1979—2 June 1980 (active duty)		330
3 June 1980—4 August 1981 (active duty)		428
5 August 1981—6 April 1982 (inactive duty)		000
7 April 1982 (Active Duty)		001
Total creditable service		759
Reentered active duty 8 Apr 82*		

\*CW2 Johnson's AUS PED is 10 March 1980 (8 April 1982) less 759 days equals 10 March 1980

**Example 4**

Staff Sergeant Mary Bulwinski served in an enlisted RA status from 10 January 1967 to 9 November 1981. While on active duty as an E-8 she maintained a dual status as a USAR CW2 from 2 January 1981 to 10 November 1981. SSG Bulwinski was discharged from active duty on 9 November 1981 and she entered active duty as a CW2 USAR on 10 November 1981. Under these circumstances, CW2 Bulwinski will have an AUS promotion eligibility date (PED) of 10 November 1981. She will not receive any creditable service for AUS PED computation purposes for the period 2 January 1981 to 10 November 1981, since her dual status time is not creditable. (See para 6-12c(4)(b).)

**Example 5**

SGT John Doe, a RA soldier, was promoted to staff sergeant (E6) with effective date and DOR of 15 March 1970 and was subsequently promoted to sergeant first class (E7) on 23 June 1972. He was discharged 10 March 1974 as a sergeant first class. He reenlists 15 January 1975 as a staff sergeant (E6). His date of rank would be computed as follows:

Date of discharge	1974	3	10
Date of rank as SSG	1970	3	15
	<del>0003</del>	<del>11</del>	<del>25</del>
To adjust for date of discharge			+1
Time-in-grade as SSG & SFC	<del>0003</del>	<del>11</del>	<del>26</del>
Date of reenlistment	1975	01	15
Adjust date of rank on reenlistment (See para 6-15(c).)	-3	11	26
	<del>1977</del>	<del>01</del>	<del>19</del>

**Example 6**

A soldier is initially promoted to pay grade E5 or E6 with an effective date of 1 August 1977. On 18 January 1978 HQDA MILPERCEN determined it was an erroneous promotion. As the soldier did accept the promotion in good faith and actually discharged the functions of the higher grade, HQDA, MILPERCEN awarded him a de facto status for the period of 1 August 1977 through 18 January 1978. Upon soldier's restoration to previously held pay grade for which the de facto status was awarded, his new DOR will be adjusted using the following method:

Step 1—Determine period of time in grade credit.  
Enter ending date that DA, MILPERCEN awarded

de facto status.	1978	01	18
Enter effective date of erroneous promotion.	1977	08	01
Results reflects time in grade credit.	<del>0000</del>	<del>05</del>	<del>18</del>
Step 2—Determining adjusted DOR.			
Enter current promotion DOR as established by AR 600-200, chapter 7.	1978	09	04
Enter previously computed time in grade credit.	0000	05	18
Results reflect soldier's adjusted date of rank.	1978	03	16

Note. Adjustment of date of rank under the provisions of this regulation is authorized only when HQDA, MILPERCEN has awarded de facto status for the adjustment period and does not entitle the soldier to duplication of previously received pay entitlement. (See para 6-15n.)

Figure 6-1. Sample of computation of date of rank—continued

## Appendix A

### Section I Required References

**AR 27-10**  
Military Justice. (Cited in paras 4-2g(3), 5-6a, and 6-15h.)

**AR 340-21**  
The Army Privacy Program. (Cited in para 5-12b.)

**AR 600-15**  
Indebtedness of Military Personnel. (Cited in para 5-9.)

**AR 635-100**  
Officer Personnel. (Cited in para 5-30a(1).)

**AR 635-200**  
Enlisted Personnel. (Cited in para 5-30a(1).)

**AR 670-1**  
Wear and Appearance of Army Uniforms and Insignia. (Cited in para 5-40c.)

**DA Pam 600-75**  
Accommodating Religious Practices. (Cited in para 5-33.)

### Section II Related References

A related publication is merely a source of additional information. The user does not have to read it to understand the regulation.

**AR 10-6**  
Branches of the Army

**AR 40-1**  
Composition, Mission, and Functions of the Army Medical Department

**AR 40-562**  
Immunization Requirements and Procedures

**AR 165-20**  
Duties of Chaplains and Commander's Responsibilities

**AR 190-24**  
Armed Forces Disciplinary Control Boards and Off-Installation Military Enforcement

**AR 210-10**  
Installations—Administration

**AR 210-7**  
Commercial Solicitation on Army Installations

**AR 210-50**  
Family Housing Management

**AR 340-2**  
Maintenance and Disposition of Records in TOE units of the Active Army and Army Reserve

**AR 340-18-2**  
Maintenance and Disposition of Planning, Programming, Management, Historical and Combat Development Functional Files

**AR 340-18-7**  
Maintenance and Disposition of Military Personnel Functional Files

**AR 350-100**  
Officer Active Duty Service Obligation

**AR 360-5**  
Public Information

**AR 360-61**  
Community Relations

**AR 380-5**  
Department of the Army Information Security Program Regulation

**AR 600-31**  
Suspension of Favorable Personnel Action for Military Personnel in National Security Cases and Other Investigations or Proceedings

**AR 600-37**  
Unfavorable Information

**AR 600-80**  
Relationships with Organizations Which seek to Represent Members of the Army in Negotiations or Collective Bargaining

**AR 600-200**  
Enlisted Personnel Management System

**AR 600-291**  
Foreign Government Employment

**AR 601-208**  
Army Reenlistment Program

**AR 611-112**  
Manual of Warrant Officer military Occupational Specialties

**AR 611-201**  
Enlisted Career Management Fields and Military Occupational Specialties

**AR 624-100**  
Promotion of Officers on Active Duty

**AR 630-5**  
Leaves, Passes, Permissive Temporary Duty, and Public Holidays

**AR 635-40**  
Physical Evaluation for Retention, Retirement, or Separation

**AR 635-120**  
Officer Resignations and Discharges

**DA Pam 310-1**  
Index of Administrative Publications

**DA Pam 600-8**  
Military Personnel Office Management and Administrative Procedures

**DA Cir 600-84-2**  
Recoupment of Federal Funds For Certain Advanced Education Programs

**CTA 50-900**  
Clothing and Individual Equipment

**CTA 50-909**  
Field and Garrison Furnishings and Equipment

**NG Reg 600-4**  
Command, Military Courtesy, Standards of Appearance, Honors, Uniform and Insignia

**DOD 5200.1-R**  
Information Security Program Regulation

**DOD Directive 1300**  
Accommodation of Religious Practices Within The Military Services

### Section III Prescribed Forms

**DA Form 5304-R**  
Family Care Counseling Checklist. (Cited in para 5-30.)

**DA Form 5305-R**  
Statement of Understanding and Responsibility. (Cited in para 5-30.)

### Section IV Referenced Forms

**DA Form 1383**  
(Annual Statement of Retirement Points)

**DA Form 2627**  
(Record of Proceedings under Article 15, USMJ)

**DD Form 214**  
(Release from Active Duty or Discharge)

**DD Form 220**  
(Active Duty Report)

**AGUZ Form 115**  
(Statement of Retirement Points)

**NGB Form 23**  
(National Guard Retirement Credit Record)

## Appendix B Examples of Types of Political Activity Permitted or Prohibited

### B-1. Examples of types of political activity permitted

Under the policies set forth in paragraph 5-21, a member of the Army on active duty may—

a. Register, vote, and express a personal opinion on political candidates and issues, as a private citizen, but not as a representative of the Army.

b. Promote and encourage other military personnel to take part in political activity as in (a) above if such promotion is not an attempt to influence or interfere with the outcome of an election.

c. Join a political club and attend its meetings when not in uniform.

d. Serve in a local part-time nonpartisan civil office (appointive or elective) if the needs of the office do not interfere with military duties and the soldier receives prior approval of the installation commander.

e. Serve as an election official if such service is not as a representative of a partisan political party, does not interfere with military duties, is performed while out of uniform, and has prior approval of the installation commander.

f. Sign a petition for specific legislative action or to place a candidate's name on an official election ballot, if it—

(1) Does not obligate the soldier to engage in partisan political activity, and

(2) Is taken as a private citizen and not as an Army representative.

g. Write a letter to the editor of a newspaper expressing his or her personal views on public issues if those views do not attempt to promote a partisan political cause.

h. Write a personal letter, not for publication, expressing preference for a specific political candidate or cause. This may be done if the action is not part of an organized letter-writing campaign in behalf of a partisan political cause or candidate.

i. Make monetary contributions to a political party or political committee favoring a particular candidate or slate of candidates. These contributions are subject to the limitations of 18 USC sections 603, 607, and 608.

j. Display a political decal on his or her private automobile.

### B-2. Types of activities prohibited

Under the statutory restrictions set forth in appendix C and the policies established in paragraph 5-21, a member of the Army on active duty will not—

a. Use official authority or influence to—

(1) Interfere with an election.

(2) Affect the course or outcome of an election.

(3) Solicit votes for a particular candidate or issue.

(4) Require or solicit political contributions from others.

b. Be a partisan candidate for civil office (Federal, State, or local), except under the conditions set forth in paragraph 5-22. Moreover, a soldier may not engage in public or organized solicitation of others to become partisan candidates for nomination or election to civil offices.

c. Take part in partisan political management or campaigns or make public speeches in the course thereof.

d. Make a campaign contribution to another member of the Armed Forces or to a civilian officer or employee of the United States to promote a political objective or cause.

e. Solicit or receive a campaign contribution as specified in d above.

f. Allow or cause to be published partisan political articles signed or authorized by the member to solicit votes for or against a partisan political party or candidate.

g. Serve in any official capacity or be listed as a sponsor of a partisan political club.

h. Speak before a partisan political gathering of any kind to promote a partisan political party or candidate.

i. Take part in any radio, television, or other program or group discussion as an advocate of a partisan political party or candidate.

j. Conduct a political opinion survey under the auspices of a partisan political group, or distribute partisan political literature.

k. Use contemptuous words against the President, the Vice President, Congress, the Secretary of Defense, the secretary of a military department, the Secretary of the Treasury, or the Governor or legislature of any State, Territory, Commonwealth, or possession in which he or she is on duty or present.

l. Perform clerical or other duties for a partisan political committee during a campaign or on election day.

m. Solicit or otherwise engage in fund raising activities in Federal offices or facilities for a partisan political cause or candidate. (This includes military posts.)

n. March or ride in a partisan political parade.

o. Display a large political sign, banner or poster on his or her private automobile (as distinguished from a political sticker).

p. Take part in any organized effort to provide voters with transportation to the polls if the effort is organized by or associated with a partisan political party or candidate.

q. Sell tickets for, or otherwise actively promote, political dinners and other such fund-raising events.

r. Attend partisan political events as an official representative of the Army even though he or she does not actively take part.

### B-3. Activities not expressly allowed or prohibited

Some activities not expressly prohibited would be contrary to the spirit and intent of this regulation. In finding whether or not an activity violates the traditional concept that military personnel must not engage in partisan political activity, rules of reason and common sense will apply. Any activity that could be interpreted as associating the Department of the Army directly or indirectly with a partisan political cause or candidate must be avoided.

### B-4. Nonpartisan political activity

A member of the Army on active duty may take part in local nonpartisan political campaigns. However, a member taking part in local nonpartisan political activity will not—

a. Wear a uniform while campaigning or use any property or facilities of the Government in the campaign.

b. Allow participation to interfere with or prejudice performance of military duties.

c. Engage in conduct that would in any way imply that DA is taking a position or is involved in the campaign.

### B-5. Members on active duty for training

Paragraphs 5-20, 5-22, and 5-23 do not apply to members on active duty for training who are serving for a period of not more than 30 days. While on active duty for training, however, a member is expected to—

a. Give full time and attention to performing military duties during prescribed duty hours.

b. Avoid any outside activities that would be prejudicial to performing military duties or inconsistent with the accepted traditions of the Army.

c. Refrain from taking part in any political activity while in military uniform, or using Government facilities in furtherance of political activities.

## **Appendix C Statutory Prohibitions Pertaining to Political Activity by Members of the Armed Forces**

### **C-1. General**

Members of the Armed Forces are prohibited from certain types of political activity by statutes that prescribe specific penalties for violation. Most directly applicable are the several sections of United States Code quoted below.

### **C-2. Title 42, USC, Sec. 1973cc-25, Undue Influence; free discussion**

"It shall be unlawful for commissioned, noncommissioned, warrant, or petty officer in the Armed Forces (1) to attempt to influence any member of the Armed Forces to vote or not to vote for any particular candidate, or (2) to require any member of the Armed Forces to march to any polling place or place of voting, but nothing in this subchapter shall be deemed to prohibit free discussion regarding political issues or candidates for public office. Aug. 9, 1955, c. 656, Title III. Sec. 305, 69 Stat. 589."

### **C-3. Title 18, USC, Sec. 592, Troops at polls**

"Whoever, being an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held, unless such force be necessary to repel armed enemies of the United States, shall be fined not more than \$5,000 or imprisoned not more than five years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States." "This section shall not prevent any officer or member of the Armed Forces of the United States from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote. June 25, 1948, c. 645, 62 Stat. 719."

### **C-4. Title 18, USC, Sec. 593, Interference by Armed Forces**

"Whoever, being an officer or member of the Armed Forces of the United States, prescribes or fixes or attempts to prescribe or fix, whether by proclamation, order or otherwise, the qualifications of voters at any election in any State; or Whoever, being such officer or member, prevents or attempts to prevent by force, threat, intimidation, advice or otherwise any qualified voter of any State from exercising the right of suffrage at any general or special election; or Whoever, being such officer or member, orders or compels or attempts to compel any election officer in any State to receive a vote from a person not legally qualified to vote; or

Whoever, being such officer or member, imposes or attempts to impose any regulations for conducting any general or special election in a State, different from those prescribed by law; or

Whoever, being such officer or member, interferes in any manner with an election officer's discharge of his duties—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both; and disqualified from holding any office of honor, profit or trust under the United States. This section shall not prevent any officer or member of the Armed Forces from exercising the right of suffrage in any district to which he may belong, if otherwise qualified according to the laws of the State of such district. June 25, 1948, c. 645, 62 Stat. 719."

### **C-5. Title 18, USC, Sec. 594, Intimidation of voters**

"Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential Elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. As amended September 22, 1970, P.L. 91-405, Title II, Sec. 204 (d)(5), 84 Stat. 853."

### **C-6. Title 18, USC, Sec. 596, Polling Armed Forces**

"Whoever, within or without the Armed Forces of the United States, polls any member of such forces, either within or without the United States, either before or after he executes any ballot under any Federal or State law, with reference to his choice for his vote for any candidate or states, publishes, or releases any result of any purported poll taken from or among the members of the Armed Forces of the United States or including within it the statement of choice for such candidate or of such votes cast by any member of the Armed Forces of the United States, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The word 'poll' means any request for information, verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, incorporated association or corporation, or for the purpose of publishing the same orally, by radio,

or in written or printed form. June 25, 1948, c. 645, 62 Stat. 720."

### **C-7. Title 18, USC, Sec. 602, Solicitation of political contributions**

"It shall be unlawful for:

- (1) a candidate for the Congress;
- (2) an individual elected to or serving in the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;
- (3) an officer or employee of the United States or any department or agency thereof; or
- (4) a person receiving any salary or compensation for services from money derived from the Treasury of the United States to knowingly solicit, any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both. As amended Jan 8, 1980, Pub.L. 96-187, Title II § 201(a)(3), 93 Stat 1367."

### **C-8. Title 18, USC, Sec. 603, Making political contributions**

"(a) It shall be unlawful for an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for service from money derived from the Treasury of the United States, to make any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 to any other such officer, employee or person or to any Senator or Representative in, or Delegate or Resident Commissioner to the Congress, if the person receiving such contribution is the employer or employing authority of the person making the contribution. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

(b) For purposes of this section, a contribution to an authorized committee as defined in section 802(e)(1) of the Federal Election Campaign Act of 1971 shall be considered a contribution to the individual who has authorized such committee (As amended Jan 8, 1980, Pub.L. 96-187, Title II, § 201(a)(4), 93 Stat. 1367)."

### **C-9. Title 18, USC, Sec. 607, Place of solicitation**

"(a) It shall be unlawful for any person to solicit or receive any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 in any room or building occupied in the discharge of official duties by any person mentioned in section 603, or in any navy yard, fort, or arsenal. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

(b) The prohibition in subsection (a) shall not apply to the receipt of contributions by persons on the staff of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, provided, that such contributions have not been solicited in any manner which directs the contributor to mail or deliver a contribution to any room building, or other facility referred to in subsection (a), and provided that such contributions are transferred within seven days of receipt of a political committee within the meaning of section 302(e) of the Federal Election Campaign Act of 1971. (As amended Jan 8, 1980. Pub.L. 96-187, Title II, 201(a)(5), 93 Stat. 1367.)"

**C-10. Title II, USC, Sec. 441a, Limitations on Contributions and expenditures—dollar limitations on expenditures**

"(a)(1) No person shall make contributions—

(A) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000;

(B) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year which, in the aggregate, exceed \$20,000; or

(C) to any other political committee in any calendar year which in the aggregate, exceed \$5,000.

(2) No multicandidate political committee shall make contributions—

(A) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$5,000;

(B) to the political committees established and maintained by a national political party, which are not the authorized political committees of any candidate, in any calendar year, which, in the aggregate, exceed \$15,000; or

(C) to any other political committee in any calendar year which, in the aggregate, exceed \$5,000.

(3) No individual shall make contributions aggregating more than \$25,000 in any calendar year. For the purposes of this paragraph, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held.

(4) The limitations on contributions contained in paragraphs (1) and (2) do not apply to transfers between and among political committees which are national, State, district, or local committees (including any subordinate committee thereof) of the same political party. For purposes of paragraph (2) the term "multicandidate political committee" means a political committee which has been registered under section 433 of this title for a period of not less than 6 months, which has received contributions from more

than 50 persons, and, except for any State political party organization has made contributions to 5 or more candidates for Federal office."

(5) . . . . .

(6) The limitations on contributions to a candidate imposed by paragraphs (1) and (2) of this subsection shall apply separately with respect to each election, except that all elections held in any calendar year for the office of President of the United States (except a general election for such office) shall be considered to be one election.

(7) For purposes of this subsection—

(A) contributions to a named candidates made to any political committee authorized by such candidates to accept contributions on his behalf shall be considered to be contributions made to such candidate;

(B)(i) expenditures made by any person in cooperation, consultation, or concert, with or at the request or suggestion of a candidate, his authorized political committees, or their agents, shall be considered to be contributed to such candidate;

(ii) the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees or their authorized agents shall be considered to be an expenditure for purposes of this paragraph; and

(C) contributions made to or for the benefit of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be contribution made to or for the benefit of the candidate of such party for election to the office of President of the United States.

(8) For the purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to source and the intended recipient of such contribution to the Commission and to the intended recipient."

**C-11. Title II, USC, Sec 441f, Contributions in name of another prohibited**

"No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

Pub.L. 92-225, Title III, § 325, as added Pub.L. 94-283, Title I, § 112 (2), May 11, 1976, 90 Stat. 494."

**C-12. Title II, USC, Sec 441g, Limitation on contribution of currency**

"No person shall make contributions of currency of the United States or currency of any foreign country to or for the benefit of

any candidate which, in the aggregate, exceed \$100, with respect to any campaign of such candidate for nomination for election, or for election, to Federal office.

Pub.L. 92-225, Title III, § 326, as added Pub.L. 94-283, Title I, § 112 (2), May 11, 1976, 90 Stat. 494."

**C-13. Title II, USC, Sec 441i, Acceptance of excessive honorariums**

"(a) Prohibited practices

No person while an elected or appointed officer or employee of any branch of the Federal Government shall accept any honorarium of more than \$2,000 (excluding amounts accepted for actual travel and subsistence expenses for such person and his spouse or an aide to such person, and excluding amounts paid or incurred for any agents' fees or commissions) for any appearance, speech, or article.

(b) Payment of honorarium to charitable organization

Any honorarium, or any part thereof, paid by or on behalf of an elected or appointed officer or employee of any branch of the Federal Government to a charitable organization shall be deemed not to be accepted for the purposes of this section.

(c) Aggregate amount received during any calendar year

For purposes of determining the aggregate amount of honorariums received by a person during any calendar year, amounts returned to the person paying an honorarium before the close of the calendar year in which it was received shall be disregarded.

(d) Time of acceptance of honorarium

For purposes of paragraph (2) of subsection (a) of this section, and honorarium shall be treated as accepted only in the year in which that honorarium is received."

**C-14. Title II, USC, Sec. 441j, Penalties**

"(a) Any person, following May 11, 1976, who knowingly and willfully involves the making, receiving or reporting of any contribution or expenditure having a value in the aggregate of \$1,000 or more during a calendar year shall be fined in an amount which does not exceed the greater of \$25,000 or 300 percent of the amount of any contribution or expenditure involved in such violation, imprisoned for not more than 1 year, or both. In the case of a knowing and willful violation of section 441b(b) (3) of this title, including such a violation of the provisions of such section as applicable through section 441c(b) of this title, of section 441f of this title, or of section 441g of this title, the penalties set forth in this section shall apply to a violation involving an amount having a value in the aggregate of \$250 or more during a calendar year. In the case of a knowing and willful violation of section 441h of this title, the penalties set forth in this section shall apply without regard to whether the making, receiving, or reporting of a contribution or expenditure of \$1,000 or more is involved."

## Glossary

### Section I Abbreviations

**ADL**  
active duty list

**ADOR**  
active date of rank

**AGR**  
adjusted grade of rank

**AMEDD**  
Army Medical Department

**ARNGUS**  
Army National Guard of the United States

**AUS**  
Army of the United States

**CONUS**  
continental United States

**DA**  
Department of the Army

**DCSPER**  
Deputy Chief of Staff for Personnel

**DOD**  
Department of Defense

**DOPMA**  
Defense Officer Personnel Management Act

**DOR**  
date of rank

**ID**  
identification (card)

**IRR**  
Individual Ready Reserve

**JAGC**  
Judge Advocate General Corps

**MACOM**  
major Army command

**MILPERCEN**  
Military Personnel Center

**MILPO**  
Military Personnel Office

**MOS**  
military occupational skill

**MRE**  
meals ready to eat

**NCO**  
noncommissioned officer

**NCOPD**  
noncommissioned officer professional development

**NGB**  
National Guard Bureau

**OCONUS**  
outside continental United States

**ORB**  
Officer Record Brief

**OTRA**  
other than Regular Army

**PED**  
pay entry date

**RA**  
Regular Army

**RC**  
Reserve Component

**ROTC**  
Reserve Officer Training Corps

**TDA**  
table of distribution and allowances

**TDRL**  
Temporary Disability Retirement List

**TJAG**  
The Judge Advocate General

**TOE**  
table of organization and equipment

**TRADOC**  
Training and Doctrine Command

**TSG**  
The Surgeon General

**UCMJ**  
Uniform Code of Military Justice

**UIC**  
unit identification code

**USAR**  
United States Army Reserve

**USMA**  
United States Military Academy

**WO**  
warrant officer

### Section II Terms

**Active duty**  
Full-time duty in the active military service of the United States (10 USC 101(22)). This term includes active duty for training and annual training. It does not include inactive duty for training (drill) or duty performed in a State status (ARNG personnel only).

**Active duty date of rank**  
Date used in determining relative seniority among officers of the same grade in which an officer is serving on active duty in the United States Army. This date is not necessarily the same as the date established for other purposes (e.g. entitlement to pay and allowances). Also see date of rank this glossary.

**Active duty list**  
An order of seniority list (required by 10 USC 620) of commissioned officers on active duty in the U.S. Army other than those listed below (10 USC 641).

a. Reserve officers.  
(1) On active duty for training.  
(2) On active duty under 10 USC 175, 265, 3015, 3019, 3033, 3496, or 32 USC 708.

(3) On active duty under 10 USC 672(d) in connection with organizing, administering, recruiting, instructing or training the RC or the ARNG;

(4) On active duty to pursue special work;

(5) Ordered to active duty under 10 USC 673b;

(6) On active duty under 50 USC APP 460(b)2 for the administration of the Selective Service System.

(7) On Full-time ARNG under 32 USC 502-505.

b. The Director of Admissions, Dean, and permanent professors at the United States Military Academy.

c. Retired officers on active duty.

d. Students at the uniformed Services University of the Health Sciences.

**Active Status**  
The status of a member of a RC not in the inactive Army National Guard, on inactive status list, or in the retired reserve.

**Army competitive category**  
The competitive category promotion list of Military Personnel Center managed commissioned officers (does not include Health Services professionals, chaplains, or Judge Advocate General's Corps officers).

**AUS promotion eligibility date**  
A date from which a warrant officer's service may be counted in order to determine eligibility for promotion to temporary (AUS) CW3 or CW4. This term applies only to warrant officer's who are eligible for promotion to those higher warrant officer temporary (AUS) grades, but who are not currently serving in a temporary (AUS) warrant officer grade, and therefore do not have a temporary (AUS) grade DOR from which to measure service.

**Civil office**  
An office that exercises powers of authority of civil government. (not military in nature). It may be either an elective or an appointive office under the United States, a territory or possession, or a State, county, municipality,

or official subdivisions. The term "civil office" does not include offices to which military personnel may be assigned in a military status.

**Competitive category**

A group of commissioned officers who compete among themselves for promotion and, if selected, are promoted in rank order as additional officers in the higher grade are needed in that competitive category.

**Constructive service credit**

Service credit granted an officer upon original appointment for education, training and/or special experience.

**Creditable service**

All active or reserve active status service in the grade in which ordered to active duty or higher that may be used to establish ADORs under this regulation. Service that is not creditable for this purpose may be creditable for other purposes.

**Date of rank**

The date on which an officer actually or constructively was appointed in a particular grade. The date will be calculated based on criteria established in this regulation and is the first rule for determining relative seniority for officers holding the same grade.

**Entry grade credit**

A period of time credited to a commissioned officer at the time of an original RA or Reserve appointment that is used to establish an officer's grade and DOR in that grade at the time of that appointment. Includes credit for prior commissioned service performed before the most recent original appointment and constructive service credit awarded based on advanced education, training, or special experience. Does not include commissioned service performed after the officer's most recent original appointment.

**Full-time service**

Any service in connection with a civil office that is likely to interfere with regular military duties.

**Grade**

A step or degree, in a graduated scale of office or military rank, that is established and designated as a grade by law or regulations (e.g. lieutenant and captain).

**Interservice transfer**

A transfer between Uniformed Services by a commissioned officer.

**Nonpartisan political activity**

An activity in support of or related to candidates not representing national or State political parties and associated or ancillary organizations. (Issues relating to Constitutional amendments, referendums, approval of municipal ordinances, etcetera, are deemed not specifically identified with national or State political parties.)

**Original appointment**

Any appointment in a Reserve or Regular Component of the Armed Forces that is neither a promotion nor a demotion. Officers may receive more than one "original appointment."

**Partisan political activity**

An activity in support of or related to candidates representing national or State political parties and associated or ancillary organizations. (Activities that support or relate to issues specifically identified with national or State political parties and associated or ancillary organizations are also included.)

**Placement on the active duty list**

The date on which a commissioned officer entered on Active Duty on his or her current tour of service on the active duty list.

**Promotion phase points**

The timing of promotions to a grade expressed in terms of the length of time an officer will have served in the lower grade at the time of promotion to the higher grade.

**Promotion eligibility date**

A date from which a warrant officer's service may be counted in order to determine eligibility for promotion to temporary (AUS) CW3 or CW4 (See para 4-3a, AR 624-100). This term applies to warrant officers who are eligible for promotion to those higher warrant officer temporary (AUS) grades but, who are not currently serving in a temporary (AUS) warrant officer grade; therefore, do not have a temporary grade DOR from which to measure service. This term also applies to 2LTs and WO1s and is used to establish the due course promotion dates for these officers.

**Rank**

The order of precedence among members of the Armed Forces.

**Uniformed service**

The Army, Navy, Air Force, Marine Corps, Coast Guard, The Commissioned Corps of the Public Health Service and the Commissioned Corps of the National Oceanic and Atmospheric Administration.



## FAMILY CARE COUNSELING CHECKLIST

For use of this form, see AR 600-20, the proponent agency is DCSPER

You are required to be counseled regarding the following subjects *(The commander (or designated representative) and the service member being counseled will initial the appropriate block after each item.)*

	COM- MANDER	SERVICE MEMBER
1. The necessity for careful planning regarding care of family member(s) without sacrificing your military responsibilities. The following points must be considered.		
a. Who will care for family member(s) during duty hours, alert readiness tests, field duty, roster duty, periods of TDY, deployments?		
b. Is there adequate housing for your family member(s) and is it accessible to your duty location?		
c. Financial obligations that will accrue for such things as child care, housing, transportation, and emergency needs and how these obligations will be met.		
2. Services provided by the local Army Community Services regarding financial planning. See Chapter 4, AR 608-1.		
3. Policies governing entitlements to assignment of government quarters. See Chapter 10, AR 210-50.		
4. Policies governing entitlement to Basic Allowance for subsistence, application procedures, and payment. See Chapter 1, part 3, AR 37-104-3, and Chapter 1, part 3, DOD Military Pay and Allowances Entitlements Manual.		
5. Provisions for applying for concurrent travel of family member(s) when alerted for overseas movement. Approved joint domicile assignments do not constitute authority to move family member(s) to the overseas command at government expense. Application for family member travel must be made in accordance with AR 55-46.		
6. The entitlement to government paid transportation of family member(s) to the next permanent duty station. See Chapter 9, AR 37-106 and Chapter 7, volume 1, Joint Travel Regulations. Transportation allowances for family member movement will be paid under the following conditions:		
a. If traveling in a PCS status between CONUS permanent duty stations. <i>(Family members are not authorized to move to or from TDY stations at government expense.)</i>		
b. If traveling to, from, or between overseas duty stations in PCS status provided tour length requirements have been satisfied. See section III, Chapter 1, AR 55-46 regarding tour length requirements to qualify for family member movement to, from, or between overseas areas.		
7. The status of individually sponsored family members in the overseas command. See paragraph 1-17, AR 55-46.		



	COM-MANDER	SERVICE MEMBER
8. Eligibility requirements for shipment of household goods to next permanent duty station at government expense. See Chapter 4, AR 55-71 and Chapter 8, Volume 1, Joint Travel Regulations.		
9. Policies governing reassignment eligibility. All soldiers are expected to serve their fair share of CONUS and overseas tours ( <i>including unaccompanied tours</i> ). The primary needs of the service provide the basis for selecting a soldier for reassignment. See paragraph 1-4, AR 614-30, and paragraph 1-4b, AR 614-200 ( <i>enlisted</i> ) or Chapter 3, AR 614-101 ( <i>Officers, warrant officers</i> ).		
10. Policies governing deletion or deferment from assignment instructions because of personal reasons. See Chapter 3, AR 614-200 ( <i>enlisted</i> ) or Chapter 3, AR 614-101 ( <i>officers</i> ).		
11. The content and requirements of the Family Care Plan and the time frames for processing the plan. The plan must be submitted early enough so that the commander may review it and determine its adequacy within two months of the date of counseling.		
12. Provisions governing involuntary separation from service for inability to perform prescribed duties, repetitive absenteeism, or nonavailability, when directed, for worldwide assignment or unit deployment because you cannot arrange for the care of family member(s) during your absence. See paragraph 5-34, AR 635-200 for enlisted personnel or AR 635-100 for officers.		
13. Provisions governing power of attorney for individual(s) to act in your absence and providing this ( <i>these</i> ) individual(s) with medical releases to authorize medical care for your family member(s).		
14. Provisions for the issuance of Uniformed Services Identification and Privilege Card(s) in case the Family Care Plan must be implemented. See Chapter 3, AR 640-3.		
15. Services available from Personal Assistance points at major points of embarkation in the CONUS.		
16. Referral assistance available from Family Life Communications Lines throughout the world.		
17. Advisability of preparing a will to include instructions concerning custody of family members in case of death.		
18. Provisions of CHAMPUS Mental Health Services, if needed.		

SIGNATURE BLOCK AND SIGNATURE OF COMMANDER (*or Designated Representative*)

DATE

SIGNATURE BLOCK AND SIGNATURE OF SERVICE MEMBER

DATE



**STATEMENT OF UNDERSTANDING AND RESPONSIBILITY**

For use of this form, see AR 600-20; the proponent agency is DCSPER

I affirm that I have been counseled on all items of the Family Care Counseling checklist and that I understand my responsibilities. I further understand that if I am unable to respond to military requirements, I am subject to disciplinary action or may be separated from the Army.

I hereby acknowledge that it is my responsibility to provide care for my family members before reporting to duty.

I affirm that I have made arrangements and will maintain arrangements for the care of my family member(s) in all circumstances required by my commitment to the military service, department, including unaccompanied tours, regular duty hours, exercise, alerts, TDY, and other duties (e.g., CQ, Guard).

Check boxes as you read each statement below and sign below to indicate conformity with requirements.

**I UNDERSTAND THAT**

a. DD Form 1172, Application for Uniformed Service Identification Card, must be completed for my family member(s). If my Family Care Plan must be implemented, this application will be provided to the person who accepts responsibility for my family member(s).	
b. Power of attorney and medical release authority must be provided to each designated guardian.	
c. I am subject to deployment on short notice and that I will be guaranteed no special privileges based on my family member(s).	
d. Nonavailability, when directed, for world-wide assignment and/or unit deployment constitutes grounds for elimination from the service.	
e. If arrangements for the care of my family member(s) fail to work, this is not a valid excuse for absence from prescribed duties, unit deployment or reassignment.	
f. It is my responsibility to revise my Family Care Plan if circumstances change so that I will have, at all times, current family member care arrangement. This Family Care Plan will be tested. Failure to maintain a current plan can result in a bar to reenlistment.	
g. I am responsible for the adequacy of housing for my family members and the ability to meet the cost of child care, housing, transportation and emergency needs of my family.	

SIGNATURE OF SERVICE MEMBER

**FILL IN APPROPRIATE INFORMATION**

If assigned overseas or reassigned from overseas to another overseas area where family members are not authorized or concurrent travel is not authorized, I have designated the following person to assume care of my family member(s).

NAME	BUSINESS PHONE
ADDRESS	HOME PHONE



I have designated the following person to care for my family member(s) during duty hours, alerts, field duty, roster duty and periods of TDY.

NAME BUSINESS PHONE

NAME BUSINESS PHONE

SIGNATURE OF SERVICE MEMBER

**FOR PERSONNEL WITH FAMILY MEMBER(S) OVERSEAS**

I have designated the following person to assume care of my family member(s) and escort them to their destination if evacuation becomes necessary.

NAME BUSINESS PHONE

ADDRESS HOME PHONE

I have designated the following person as guardian who, if my family member(s) are evacuated by escort, will assume care of them upon arrival at destination.

NAME BUSINESS PHONE

ADDRESS HOME PHONE

TYPED OR PRINTED NAME OF SERVICE MEMBER SSN

SIGNATURE OF SERVICE MEMBER

**STATEMENT OF COUNSELING AND VERIFICATION OF FAMILY CARE PLAN**

I have counseled the service member whose signature appears above concerning all items on the Family Care Counseling Checklist. The service member understands his/her responsibilities to the Army and his/her family members. The service member has explained his/her plan for the care of his/her family in case of deployment, and, I find these plans acceptable.

SIGNATURE BLOCK AND SIGNATURE OF COMMANDER (or Designated Representative) DATE

**REVIEW**

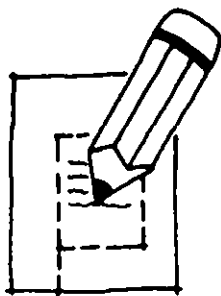
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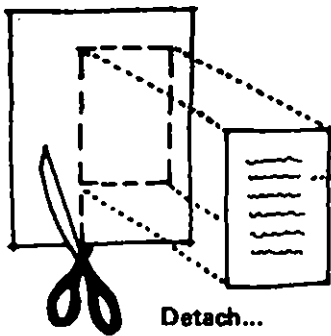
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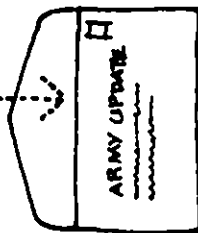




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AR 600-20

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