

Army Regulation 601-100

Personnel Procurement

Appointment of Commissioned and Warrant Officers in the Regular Army

**Headquarters
Department of the Army
Washington, DC
21 November 2006**

UNCLASSIFIED

SUMMARY of CHANGE

AR 601-100

Appointment of Commissioned and Warrant Officers in the Regular Army

This major revision, dated 21 November 2006--

- o Has been completely revised to meet the mandate of an All-Regular Army Active Duty Force, which required all commissioned officers (basic branches and special branches) to be appointed as Regular Army officers.
- o Reflects the reorganization of the United States Army Personnel Command as the United States Army Human Resources Command throughout the regulation.
- o Eliminates all Regular Army boards.
- o Implements new policy for security clearance for special branches upon initial entry on active duty (para 1-8b).
- o Revises policy on age requirements (para 1-9).
- o Implements policy for educational requirements for Officer Candidate School candidates and direct appointees (para 1-10).
- o Implements policy for convicted sex offenders in the Army (para 1-13c).
- o Implements policy requiring that all newly accessed officers commissioned to the active duty list will receive regular appointments, regardless of method or source of commission effective 1 May 2005 (para 2-2).
- o Implements policy regarding the declining of Regular Army appointments (para 2-5).
- o Reinstates the Regular Army Integration Program implementing policy for the All-Regular Army Active Duty Force (para 2-6).
- o Implements policy for reserve warrant officers, promotable warrant officer and chief warrant officers to be integrated into the Regular Army (para 2-10).
- o Implements policy for appointment notification and acceptance of Regular Army (2-11).
- o Implements policy concerning religious practices (2-11).
- o Implements rules/guidance for delay in acceptance of appointment (2-12).
- o Implements rules/guidance for initial assignment orders and consummation of Regular Army appointment (paras 2-13 and 2-14).


Personnel Procurement

Appointment of Commissioned and Warrant Officers in the Regular Army

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:


JOYCE E. MORROW
Administrative Assistant to the
Secretary of the Army

History. This publication is a major revision.

Summary. This revision updates the policy and procedures for appointing commissioned and warrant officers in the Regular Army.

Applicability. This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve. This

regulation is applicable during mobilization.

Proponent and exception authority.

The proponent of this regulation is the Deputy Chief of Staff, G–1. The Deputy Chief of Staff, G–1 has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The Deputy Chief of Staff, G–1 may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity’s senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Army management control process.

This regulation contains management control provisions and identifies key management controls that must be evaluated (see appendix B).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Deputy Chief of Staff, G–1, 300 Army Pentagon, Washington, DC 20310–0300.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Commander, Human Resources Command–Alexandria (AHRC–OPD–A), 200 Stovall Street, Alexandria, VA 22332–0413.

Distribution. This publication is available in electronic media only and is intended for command levels A, B, C, D, and E for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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Glossary

Chapter 1 Introduction

Section I General

1–1. Purpose

This regulation prescribes policy, eligibility requirements, and administrative procedures for the appointment of commissioned and warrant officers in the Regular Army (RA).

1–2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1–3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1–4. Responsibilities

a. The Deputy Chief of Staff, G–1 (DCS, G–1) will establish personnel policies relating to each procurement program.

b. The Judge Advocate General (TJAG), upon request, will review Department of Army (DA) administrative changes to verify the legality of prescribed policies and changes.

c. The Commanding General, U.S. Army Human Resources Command (HRC) will conduct and supervise all prescribed personnel functions.

d. Army commands, Army Service Component Commands (ASCCs), and Direct Reporting Units (DRUs) will process RA appointments in accordance with this regulation.

Section II Policy

1–5. Citizenship

a. An original appointment as a commissioned officer in the RA may be given only to a person who is a citizen of the United States, per Section 532(a)(1), Title 10, United States Code (10 USC 532(a)(1)).

b. Applicants must prove U.S. citizenship by submitting a notarized birth certificate, certificate of citizenship, certificate of naturalization, an FS 240 (Consular Report of Birth Abroad), an FS 545 (Certification of Birth Abroad of a Citizen of the United States of America), a DS 1350 (Certification of Birth Abroad to U.S. Citizen), a passport, and so on.

1–6. Medical and fitness standards

a. An original appointment as a commissioned officer in the RA may be given only to a person who is physically qualified for active service (see 10 USC 532(a)(4)). At the time of commissioning, individuals must meet medical fitness standards in accordance with Army Regulation (AR) 40–501 and height and weight standards in accordance with AR 600–9.

b. A person is medically qualified if no physical profile designator exceeds “3.” If a physical profile designator of “4” exists, the person is disqualified, unless one of the following conditions exists:

- (1) A physical evaluation board has determined the person “fit for duty.”
- (2) A waiver has been granted in accordance with AR 635–40.

1–7. Conscientious objector

An individual must not be a conscientious objector. A conscientious objection is a firm, fixed, and sincere objection, because of religious training and belief, to participation in war in any form or the bearing of arms. An individual who has previously held status as a conscientious objector must have the classification removed in accordance with AR 600–43, paragraph 3–3, or 50A USC 456(j) and (k). This prohibition against conscientious objectors applies to individuals seeking appointment to all branches of the Army except to individuals classified 1–A–0 for noncombatant service who seek appointment to a Corps of the Army Medical Department (AMEDD) or as Chaplains.

1–8. Security clearance

a. Individuals must have a SECRET security clearance in accordance with AR 380–67.

b. Healthcare professionals, Chaplains, and attorneys may be appointed in the RA prior to completion of a National Agency Check with Local Agency Checks and Credit Check (NACLIC), provided—

- (1) An NACLIC is initiated at the time an application for a commission is received.

(2) The individual agrees in writing that, if the results of the investigation are unfavorable, the individual will be subject to discharge if found to be ineligible to hold a commission.

c. All other provisions of Department of Defense Directive (DODD) 5200.2-R remain in effect.

1-9. Age requirements

An original appointment as a commissioned officer in the RA may be given only to a person who is able to complete 20 years of active commissioned service (ACS) before the person's 62nd birthday (see 10 USC 532(a)(2)). A person receiving an original appointment to the Medical Corps, Dental Corps, or as a Chaplain is not subject to this age requirement. A reserve commissioned officer receiving a new original appointment in the RA to the Army Nurse Corps, Medical Specialist Corps, Medical Service Corps, (Allied Science officers only), or Veterinary Corps is not subject to this age requirement.

1-10. Educational requirements

a. An original appointment as a commissioned officer, other than a warrant officers (WOs), in the RA in the basic branches may be given only to a person who has a baccalaureate degree, except Officer Candidate School (OCS) graduates who have completed 90 semester hours of college study and who are able to complete a baccalaureate degree from an accredited educational institution prior to the consideration by the captain promotion board.

(1) OCS candidates who do not already have a degree must have an approved college degree completion plan in place prior to graduation and commissioning.

(2) OCS candidates will coordinate with their education support center for development of their plan prior to OCS attendance.

b. Direct appointees who do not already have a baccalaureate degree must have a degree completion plan within 30 days of appointment. Direct appointees will meet with their education support center for development of their plan within 30 days of appointment. College degree completion plans will include the type of degree, a timeline for completion, and an agreement from an accredited university.

c. WOs must be a high school graduate or have passed the General Education Development test of high school level or higher.

d. Applicants must be proficient in the English language. If primary language is other than English, an English Comprehension Level Test will be submitted with the application.

1-11. Loyalty

An individual must neither be nor have been a member of any foreign or domestic organization, association, movement, or group or any other combination of persons that—

a. Advocates subversive policy.

b. Seeks to alter the form of the U.S. Government by unconstitutional means.

1-12. Character

An original appointment as a commissioned officer in the RA may be given only to a person who is of good moral character (see 10 USC 532(a)(3)).

1-13. Military or civilian court convictions.

a. Applicants must not have any civil convictions, adverse juvenile adjudication, pretrial diversion for a felony, or any type of court-martial conviction. A request for a waiver of a conviction, offense, or unfavorable juvenile court decision will be submitted in affidavit form or supported by documentary evidence citing the offense, the court action, and the judgment and sentence rendered. No waiver is required for minor traffic or minor nontraffic offenses resulting in a fine of \$250 or less, except when the applicant has accumulated six or more such offenses during any 12-month period.

b. Commanders of Army commands, ASCCs, and DRUs may grant a waiver for an offense under military or civil codes if the offense was not a felony and the offense did not involve moral turpitude.

c. A person convicted of a sexually violent offense as defined by AR 27-10, paragraph 24-2, may not be appointed to the U.S. Army. This restriction may not be waived.

1-14. Ineligibility for appointment

An original appointment as a commissioned officer in the RA may not be given to persons who—

a. Have been separated from any of the Armed Forces involuntarily, have resigned, or have been separated in lieu of elimination or for the good of the service (see AR 600-8-24 and AR 635-200).

b. Have been dropped from the rolls of any of the Armed Forces.

c. Have been removed from office under the criminal laws of the United States.

d. Have been separated from any of the Armed Forces with an other-than-honorable, bad conduct, or dishonorable discharge.

- e. Have been retired from any of the Armed Forces.
- f. Are under suspension of favorable personnel actions in accordance with AR 600–8–2.
- g. Have been eliminated or released from active duty (AD) because of being twice nonselected for promotion (AR 600–8–29 and AR 600–8–24).
- h. Cannot complete 10 years of ACS by the date they have completed 20 years of active Federal service.

Chapter 2

Appointment of Commissioned and Warrant Officers in the Regular Army

Section I

General

2–1. The Regular Army Integration Program

This chapter prescribes policy and procedures for appointment of commissioned officers of the basic branches, Chaplains, Judge Advocate General’s Corps (JAGC), AMEDD, and WOs in the RA.

2–2. Source of personnel

Commissioned officers will be procured from—

- a. Graduates of the U.S. Military, Naval, and Air Force Academies who request initial appointment in the U.S. Army and who are acceptable to the Secretary of the Army, as authorized by 10 USC 541 and 4353.
- b. Graduates of the Officer Candidate School (see AR 350–51).
- c. Graduates of the Reserve Officers Training Corps (ROTC) (see AR 145–1).
 - (1) Those graduates reporting to AD within 6 days of graduation will be appointed in the RA.
 - (2) All other graduates will be processed for appointments to the U.S. Army Reserve (USAR) and the RA.
 - (a) Upon graduation (or whenever the university conducts its commission ceremony) when the graduate will be appointed to the USAR.
 - (b) Once that USAR officer reports to a duty station in accordance with accession orders, the officer will be appointed in the RA.
- d. Graduates of the Uniformed Services University of the Health Sciences (USUHS) and Health Professions Scholarship Program (HPSP).
- e. Commissioned officers in other uniformed services who receive interservice transfers to the Army.
- f. Reserve Component (RC) officers and warrant officers, including AMEDD officers, Chaplains, and Judge Advocates serving on AD in accordance with the Call to Active Duty (CAD) Program, in the following categories:
 - (1) USAR and Army National Guard of the United States officers in the grade of captain, major and lieutenant colonel in all functional areas and competitive categories, and WOs in all military occupational specialties (MOS), subject to the needs of the Army.
 - (2) Retired regular commissioned and warrant officers.
- g. Civilians tendered direct appointments with concurrent call to AD.
- h. RC WOs on the active duty list (ADL) (see para 2–10).

2–3. Service obligations

- a. An individual who accepts an RA appointment does not incur an additional AD service obligation (ADSO) as a result of accepting the appointment.
- b. Statutory and regulatory ADSOs otherwise incurred become effective on the date of acceptance of the RA appointment:
 - (1) Graduates of the U.S. Military, Naval, and Air Force Academies incur a 5-year ADSO in accordance with 10 USC 4348.
 - (2) Graduates of the ROTC Scholarship Program incur a 4-year ADSO in accordance with 10 USC 2107. Other ROTC graduates incur a 3-year ADSO in accordance with AR 350–100.
 - (3) OCS graduates incur a 3-year ADSO in accordance with AR 350–51.
 - (4) Direct commissions with concurrent CAD incur a 3-year ADSO in accordance with AR 135–210.
 - (5) AMEDD officers incur an ADSO in accordance with AR 135–101. Direct accession AMEDD officers who attend Long Term Health Education Training as their initial assignment incur an ADSO in accordance with AR 351–3.
 - (6) WOs appointed with concurrent call to AD incur a 6-year ADSO upon completion of the Warrant Officer Basic Course.
 - (7) AD service obligations must be satisfied in accordance with AR 350–100 or other applicable regulations.
- c. In addition to the ADSO, every commissioned officer will serve a total Military Service Obligation (MSO) of 8

years in accordance with 10 USC 651 and Department of Defense Instruction (DODI) 1304.25. Any portion of the MSO not served on AD will be served in the RC per AR 600–8–24. A commissioned officer may fulfill the MSO with any combination of AD and service in an RC.

2–4. Determination of appointment grade

a. Commissioned officers will be appointed in the RA in the same grade that they held on the ADL immediately before the appointment.

b. Graduates of the U.S. Military, Naval, and Air Force Academies, ROTC, and OCS who receive an original appointment in conjunction with graduation will be appointed as second lieutenants in the RA.

c. AMEDD officers appointed in the RA, including USUHS and HPSP graduates, will have their grades and dates of rank determined in accordance with AR 135–101.

2–5. Declining a Regular Army appointment

Commissioned officers do not have the option to decline RA appointment and remain on the ADL. After completion of all outstanding service obligations, the officer may be separated under the provisions of AR 600–8–24.

2–6. All-Regular Army Active Duty Force

a. Army policy is to transition to an All-Regular Army Active Duty Force.

b. As of 1 May 2005, all officers commissioned for service on the ADL received RA appointments, regardless of method or source of commission.

c. Reserve commissioned officers on the ADL as of 1 May 2005 were automatically integrated into the RA on 11 November 2005, provided they met the requirements for RA appointment under 10 USC 532. The officers' rights and obligations under their original contracts remain unchanged and their oath of office remain in effect.

d. Reserve commissioned officers on the ADL who did not meet the requirements for RA appointment under 10 USC 532 will continue to serve with reserve appointments, pursuant to other provisions of policy and law, until 28 October 2009 or completion of any mandatory ADSO existing as of 1 May 2005, whichever is later.

e. On 28 October 2009, all commissioned officers on the ADL must hold an RA appointment; be completing an ADSO incurred before 1 May 2005; or have a waiver from the Secretary of Defense. This policy does not preclude the transfer of reserve officers from the ADL to the Reserve Active Status List.

f. Requests for waivers by the Secretary of Defense under 10 USC 532(f) are limited to original appointments to grades first lieutenant through major and will be approved only if required for national security.

Section II

Appointment to the Special Branches

2–7. Appointment of Chaplains

a. Special eligibility requirements and procedures are prescribed for appointing Chaplains to the RA in addition to the eligibility requirements of chapter 1. Interested individuals will first contact Headquarters, Department of the Army (HQDA) (DACH–PER), 2511 Jefferson Davis Highway, Arlington, VA 22202–3907.

b. Individuals must satisfy the educational and ecclesiastical requirements for appointment of Chaplains established by AR 165–1 and DA Pamphlet (Pam) 165–17. The Chief of Chaplains will determine acceptability of credentials.

c. Individuals must present DD Form 2088 (Statement of Ecclesiastical Endorsement) from an authorized ecclesiastical endorsing agency stating that the individual is—

(1) A fully ordained or fully qualified member of the clergy to perform all offices, functions, sacraments, ordinances, and ceremonies required of a religious ministry professional for that religious organization.

(2) Actively engaged in a denominationally approved vocation.

(3) Approved and recommended as being spiritually, morally, intellectually, and emotionally qualified to represent the religious organization in the RA. The endorsing agency will send the statement directly to HQDA (DACH–PER), 2511 Jefferson Davis Highway, Arlington, VA 22202–3907.

2–8. Appointment to the Judge Advocate General's Corps

a. Special eligibility requirements and procedures are prescribed for selecting and appointing commissioned officers to the JAGC in the RA. Officers must also meet the eligibility requirements of AR 27–1 and chapter 1 of this regulation. Interested individuals will first contact the Judge Advocate Recruiting Office (DAJA–PT), 1777 North Kent St, Rosslyn, VA 22209–2194 or visit the JAGC Web site at law.goarmy.com.

b. Personnel will be procured from—

(1) Officers who successfully completed the Funded Legal Education Program, in accordance with AR 27–1.

(2) Officers in the basic branches detailed to the JAGC.

(3) Officers of another armed force who are approved for an interservice transfer to the RA in the JAGC, in accordance with AR 614–120.

- (4) JAGC officers with RC commissions.
- (5) Direct commissions to qualified civilians.
- c. Individuals must meet the educational requirements specified in AR 27–1, chapter 13. TJAG will determine acceptability of credentials.

2–9. Appointment to the Corps of the Army Medical Department

- a. Special eligibility requirements and procedures are prescribed for selecting and appointing commissioned officers to the AMEDD in the RA. Individuals must also meet the eligibility requirements of chapter 1.
- b. Individuals must meet the educational and professional requirements specified in AR 135–101 to be eligible for an RA appointment. The Surgeon General will determine acceptability of credentials.
- c. Officers in another Armed Force who are approved for interservice transfer to the RA will be appointed in the RA to the appropriate AMEDD branch in accordance with AR 614–120.

Section III

Appointment of Commissioned Warrant Officers in the Regular Army

This section provides policy and procedures for automatic integration into the RA for Reserve WOs on the ADL.

2–10. Integration of warrant officers into the Regular Army

- a. Effective 1 May 2005, with approval by the Secretary of Defense, Reserve WOs on the ADL in the grades of WO1 selected for promotion to Chief Warrant Officer Two (CW2) and CW2 selected for promotion to CW3 were integrated into the RA by HRC if they met the basic qualifications for an RA appointment.
- b. Reserve WOs on the ADL as of 1 May 2005 in the grades of CW2 and above were automatically integrated into the RA on 11 November 2005.
- c. The CAD Program is for RC WOs to serve on AD in all MOSs, subject to the needs of the Army.
 - (1) WO1s will automatically be integrated into the RA after completion of 2 years on AD.
 - (2) CW3, CW4, and CW5 personnel will be appointed to the RA.
- d. The appointment date is the day the oath of office is administered, when the appointee signs DA Form 71 (Oath of Office–Military Personnel).
- e. RA appointment orders will be announced by HRC and transmitted electronically to the relevant Army commands, ASCC, or DRU.
- f. A DA Form 71 must be executed and the original mailed to the Commander, HRC–Alexandria (AHRC–OPD–A), Alexandria, VA 22332.
- g. Warrant officers do not have the option to decline RA appointment and remain on the ADL. After completion of all outstanding service obligations, the officer may be separated UP AR 600–8–24.

2–11. Appointment notification

- a. When applicants have received Secretary of Defense approval, the appointees' names will be announced in RA appointment orders published by HRC and transmitted electronically to the relevant Army commands, ASCCs, or DRUs.
 - (1) The President has delegated his authority to make original appointments in the RA in the grades of second lieutenant, first lieutenant, and captain to the Secretary of Defense.
 - (2) The President will make original appointments in the RA in the grades of major, lieutenant colonel, and colonel after Senate confirmation.
- b. Upon receipt of the appointment orders, the relevant Army command, ASCC, or DRU will tender appointments of all appointees within their commands whose appointments are not subject to contingencies. An appointee whose appointment is subject to contingencies will be appointed in the RA immediately after resolution of the contingencies. An appointee will not take an oath of office before being medically qualified.
- c. Appointees will complete, date, and sign the statement of acknowledgment of Army policy concerning accommodating religious practices (see fig 2–1). A statement will be attached to DA Form 71. Failure to sign the statement may result in nonacceptance of appointment.
- d. The following documents will be sent promptly to each appointee by the personnel service battalions, military personnel divisions, or appropriate headquarters:
 - (1) A copy of the DA appointment order.
 - (2) DA Form 71 for RA appointment.
 - (3) DA Form 71 for USAR appointment, if applicable.
 - (4) Initial duty assignment orders, if applicable.
 - (5) Statement of acknowledgment for accommodation of religious practices.

AR 600-20 and AR 165-1 establish Army policy concerning religious accommodation.

The Army places a high value on the rights of its soldiers to observe the tenets of their respective religious faiths. The Army will approve requests for accommodation of religious practices unless accommodation will have an adverse impact on unit readiness, individual readiness, unit cohesion, morale, discipline, safety, and/or health. These factors are referred to individually and collectively as "military necessity." Accommodation of a soldier's religious practices must be examined against military necessity and cannot be guaranteed at all times.

Unit commanders are authorized to initially approve or deny requests for accommodation of religious practices. Conditions of accommodation may change based on military need.

I understand that the Army cannot guarantee accommodation of religious practices.

(Signed)

(Date)

Figure 2-1. Statement of acknowledgment for accommodation of religious practices

2-12. Delay in acceptance of appointment

a. Appointees who are not on AD as commissioned officers may request a delay in acceptance of an appointment from the commander who tendered the appointment. The request for delay will state the period of delay and document a compelling reason (see AR 601-25), including—

- (1) Settlement of personal affairs.
- (2) Sickness of the appointee or sickness or death of a dependent or member of the appointee's immediate family.
- (3) Pursuit of graduate study (ROTC cadets).
- (4) Other compelling rationale.

b. When an appointee requests a delay acceptance of appointment for more than 30 days, the request for delay must be made within 30 days of receipt of the appointment notice.

c. The commander who tendered the appointment may approve a request for delay of fewer than 60 days. A delay greater than 60 days is not authorized; that commander will send a copy of the delay approval to the Commander, HRC-Alexandria (AHRC-OPD-A), Alexandria, VA 22332.

d. An approval of a delay in taking the RA oath of office will not delay a USAR appointee commissioned through ROTC from taking the USAR oath of office.

2-13. Initial active duty assignment orders

a. HRC or one of the special branches, as appropriate, will give assignment instructions for appointees who are appointed in the RA and who were not on AD as commissioned officers before their appointment, to the major commanders at least 45 days before the appointee's date of appointment. (See AR 614-105 for the policy and procedures for initial assignment of all newly appointed RA second lieutenants.)

b. Appointees initially ordered to AD in the RA may be given a maximum of 30 days advance leave per AR 600-8-10. This is a chargeable leave period for all officers except for United States Military Academy and ROTC graduates. Advance leave granted must be at the request of the appointee. Appointees will be told that they may terminate leave status before the end of the leave period. However, a per diem allowance, if approved, will not start prior to the specified reporting date. A delay in reporting to their first duty station because advance leave is granted is not to be confused with a delay in taking the oath of office.

c. ROTC graduates also have an excess leave option. This is nonchargeable leave without pay, not to exceed 30 days, granted on request under the provisions of AR 145-1 and AR 600-8-10.

d. The relevant Army command, ASCC, or DRU commanders will issue the initial assignment orders. Copies of the orders will be distributed to the appropriate HRC or the special branches officer personnel management division and the Commander, HRC–Alexandria (AHRC–MSR), Alexandria, VA.

e. Copies of all changes to the initial assignment orders will be distributed according to *d* above. Procurement program number code entry will be made per DA Pam 601–110.

f. Appointees who accept appointment and who are not already on AD will comply with the initial assignment orders no later than the day after they take the oath of office.

g. On receipt of DA Form 71, the relevant Army command, ASCC, or DRU commander will—

- (1) Record the date of acceptance on the pertinent documents in the field personnel file.
- (2) Annotate DA Form 71 by citing the RA orders number and date.
- (3) Mail original DA Form 71 and statement of acknowledgment for accommodation of religious practices to the Commander, HRC–Alexandria (AHRC–OPD–A), 200 Stovall Street, Alexandria, VA 22332–0413.
- (4) Issue DD Form 1 (Officer’s Commission) to the officer.

2–14. Consummation of appointment in the Regular Army

a. Upon execution of the RA oath of office, the original DA Form 71 will be sent to the Commander, HRC–Alexandria (AHRC–OPD–A) 200 Stovall Alexandria, VA 22332. For those appointed as Chaplains, a copy of DA Form 71 will be sent to the Office of the Chief of Chaplains (DACH–PEB), 2511 Jefferson Davis Highway, Room 12500, Arlington, VA 22202–3907. For those appointed as Judge Advocates, a copy of DA Form 71 will be sent to the Office of the Judge Advocate General (DAJA–PT), 1777 North Kent Street, Rosslyn, VA 22209–2194.

b. A copy of the letter of appointment in the Reserve of the Army with assignment to the USAR will be attached to DA Form 71 if such an appointment was made before acceptance of the current RA appointment.

c. All appointment documents will include the appointee’s social security number. The number and date of the appointment order will be entered to the left of the appointee’s signature on the DA Form 71.

d. RA appointment documents become a part of an officer’s Official Military Personnel File. Care will be taken to complete these documents accurately.

e. When an appointee is reassigned while appointment action is pending, the losing commander will ensure that any information received regarding an appointee’s RA status is sent promptly to the gaining commander. The gaining commander will also inform the losing commander of the disposition of the case (for example, acceptance of the appointment or disapproval for failure of appointee to be medically qualified). An information copy will be sent to the Commander, HRC–Alexandria (AHRC–OPD–A), Alexandria, VA 22332.

Chapter 3 Posthumous Appointments

3–1. Authority to issue appointments

a. The President may make a posthumous appointment to an individual who—

(1) Was appointed as a commissioned officer (10 USC 1521) but was unable to accept the appointment because of death in the line of duty.

(2) Successfully completed OCS and was recommended for appointment as a commissioned officer by the commanding officer at OCS but was unable to accept the appointment because of death in the line of duty.

(3) Was officially recommended for appointment as a commissioned officer or promotion to the next higher grade but was unable to accept the appointment or promotion because of death in the line of duty. An individual is “officially recommended for appointment” when a recommendation is made through normal military channels to an authority competent to take final action on the recommendation. An officer is “officially recommended for promotion” on the date that a promotion board that has recommended the officer for promotion recesses. A second lieutenant or WO is officially recommended for promotion on the date that the HRC promotions branch (AHRC–MPSO) posts the officer’s name to the automated first lieutenant/CW2 promotion system.

b. The Secretary of the Army may issue an appropriate warrant (10 USC 1522) to a member of the Armed Forces who was officially recommended for appointment to WO but who was unable to accept appointment because of death in the line of duty.

3–2. Effective date

The effective date of the appointment for commissioned and warrant officers will be the date of appointment, recommendation, or official recommendation, as the case may be.

3-3. Bonus, gratuity, pay or allowance

A posthumous appointment does not entitle any person to any bonus, gratuity, pay, or allowance because of such appointment (10 USC 1523).

Appendix A References

Section I Required Publications

AR 27-1

Legal Services, Judge Advocate Legal Services. (Cited in para 2-8a.)

AR 27-10

Military Justice. (Cited in para 1-13c.)

AR 40-501

Standards of Medical Fitness. (Cited in para 1-6a.)

AR 135-101

Appointment of Reserve Commissioned Officers for Assignment to Army Medical Department Branches. (Cited in paras 2-3b(5), 2-4c, 2-10b.)

AR 145-1

Senior Reserve Officers' Training Corps Program: Organization, Administration, and Training. (Cited in para 2-13c.)

AR 165-1

Chaplain Activities in the United States Army. (Cited in para 2-7b.)

AR 350-51

United States Army Officer Candidate School. (Cited in paras 2-2b, 2-3b(3).)

AR 350-100

Officer Active Duty Service Obligations. (Cited in para 2-3b(7).)

AR 351-3

Professional Education and Training Programs of the Army Medical Department. (Cited in para 2-3b(5).)

AR 600-8-2

Suspension of Favorable Personnel Actions (FLAGS). (Cited in para 1-14f.)

AR 600-9

The Army Weight Control Program. (Cited in para 1-6a.)

AR 614-105

Initial Assignment of Regular Army Second Lieutenants. (Cited in para 2-13a.)

AR 614-120

Interservice Transfer of Army Commissioned Officers on the Active Duty List. (Cited in paras 2-8b(3), 2-9c.)

AR 635-40

Physical Evaluation for Retention, Retirement, or Separation. (Cited in para 1-6b(2).)

DA Pam 165-17

Chaplain Personnel Management. (Cited in para 2-7b.)

DA Pam 601-110

Identification of Commissioned and Warrant Officer Personnel by Army Procurement Program Number Codes. (Cited in para 2-13e.)

Section II Related Publications

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

regulation. Department of Defense publications are available at www.dtic.mil/whs/directives. U.S. Code is available at www.gpoaccess.gov/uscode.

AR 135–210

Order to Active Duty as Individuals for Other than a Presidential Selected Reserve Call-up, Partial or Full Mobilization

AR 600–8–10

Leaves and Passes

AR 600–8–24

Officer Transfers and Discharges

AR 600–8–29

Officer Promotions

AR 600–43

Conscientious Objection

AR 601–25

Delay in Reporting for and Exemption from Active Duty, Initial Active Duty for Training, and Reserve Forces Duty

AR 635–200

Active Duty Enlisted Administrative Separations

DODD 5200.2

DOD Personnel Security Program

DODI 1304.25

Fulfilling the Military Service Obligation (MSO)

10 USC 101(b)(10)

Definitions: Personnel Generally

10 USC 532

Qualifications for an original appointment as a commissioned officer

10 USC 541

Graduates of the United States Military, Naval, and Air Force Academies

10 USC 620

Active-duty lists

10 USC 651

Members: required service

10 USC 1521

Posthumous commissions

10 USC 1522

Posthumous warrants

10 USC 1523

Posthumous commissions and warrants: effect on pay and allowances

10 USC 2106

Advanced training; commission on completion

10 USC 2107

Financial assistance program for specially selected members

10 USC 4348

Cadets: agreement to serve as officer

10 USC 4353

Cadets: degree and commission on graduation

42 USC 14071

Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program

50A USC 456(j), (k)

War and National Defense, Military Selective Service Act, Deferments and exemption from training and service

Section III**Prescribed Forms**

This section contains no entries

Section IV**Referenced Forms**

The following forms are available on the Army Publications Directorate Web site (www.apd.army.mil). DD forms are available on the Office of the Secretary of Defense Web site (www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm).

DA Form 11–2–R

Management Control Evaluation Certification Statement

DA Form 71

Oath of Office—Military Personnel

DA Form 2028

Recommended Changes to Publications and Blank Forms

DD Form 1

Officer's Commission

DD Form 2088

Statement of Ecclesiastical Endorsement

Appendix B**Management Control Evaluation Checklist****B–1. Function**

The function covered by this checklist is the procurement of commissioned and warrant officers in the RA.

B–2. Purpose

The purpose of this checklist is to assist Army command and installation managers in evaluating their key management controls. It is not intended to cover all controls.

B–3. Instructions

Answers must be based on the actual testing of key management controls such as document analysis, direct observation, interviewing, sampling, and simulation. Answers that indicate deficiencies must be explained and corrective action indicated in supporting documentation. These management controls must be evaluated once a year. Certification that this evaluation has been conducted must be accomplished on DA Form 11–2–R (Management Control Evaluation Certification Statement).

B–4. Test questions

a. Are there established procedures for notifying officers who have been selected for a Regular Army appointment once the Regular Army orders are received at the installation?

b. Has a managerial review been conducted to ensure appointee's meet the eligibility criteria prior to executing the DA Form 71 for Regular Army?

c. Is a followup or suspense procedure established to ensure all appointees execute the DA Form 71 within a required timeframe?

d. Is the proper Procurement Program Number code used when appointing individuals into the Army?

B-5. Supersession

This checklist replaces the checklist for the procurement of commissioned and warrant officers in the RA previously published in AR 601-100, 7 June 2002.

B-6. Comments

Help make this a better tool for evaluating management controls. Submit comments to the Commander, HRC-Alexandria (AHRC-OPD-A), Alexandria, VA 22332-0413.

Glossary

Section I Abbreviations

ACS

active commissioned service

AD

active duty

ADL

active duty list

ADSO

active duty service obligation

AMEDD

Army Medical Department

AR

Army regulation

ASCC

Army Service Components Commands

CAD

Call to active duty

CW2

chief warrant officer two

CW3

chief warrant officer three

CW4

chief warrant officer four

CW5

chief warrant officer five

DA

Department of the Army

DCS, G-1

Deputy Chief of Staff, G-1

DODD

Department of Defense Directive

DODI

Department of Defense Instruction

DRU

Direct Reporting Units

HPSP

Health Professions Scholarship Program

HQDA

Headquarters, Department of the Army

HRC

Army Human Resources Command

JAGC

Judge Advocate General Corps

MOS

military occupational specialties

MSO

military service obligation

NACLC

National Agency Check with Local Agency Checks and Credit Check

OCS

Officer Candidate School

RA

Regular Army

RC

Reserve Component

ROTC

Reserve Officer's Training Corps

TJAG

The Judge Advocate General

USAR

United States Army Reserve

USC

United States Code

USUHS

Uniformed Services University of the Health Sciences

WO

Warrant Officer

Section II**Terms****Active duty**

Full-time duty in the active military service of the United States.

Active duty \list

An order-of-seniority list (see 10 USC 620) of commissioned and warrant officers on active duty in the U.S. Army.

Applicant

An individual with no status as a commissioned officer who has applied for and meets the eligibility requirements for appointment.

Appointee

A selectee who has been appointed by the President (0-1 to 0-3), or nominated by the President and confirmed by the Senate (0-4 to 0-6), as a commissioned officer in the RA, but who has not yet been tendered or accepted the appointment

A selectee who has been approved by the Secretary of the Army for an RA appointment as a WO but who has not yet

been tendered or accepted the appointment.

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Contingency

An unfulfilled eligibility requirement that must be resolved before the appointment can be consummated.

Effective date of appointment

The date on which an RA appointee accepts the appointment by taking the oath of office and signing DA Form 71.

Juvenile offender

A person judged guilty of an offense by a domestic court of the United States or its territorial possessions, or by a foreign court, without regard to whether a sentence has been imposed or suspended, or any other subsequent proceedings in the case. The law of the jurisdiction of the court will determine whether a given proceeding constitutes an adjudication of guilt. Adjudication as a juvenile offender includes adjudication as juvenile delinquent, wayward minor, or youthful offender.

Original appointment

An individual's most recent appointment in a regular component that is neither a promotion nor a demotion (see 10 USC 101(b)(10)).

Procurement program number

A code number that identifies the source or program by which an individual was appointed.

Section III

Special Abbreviations and Terms

This section contains no entries.

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