



Department of Defense INSTRUCTION

NUMBER 1205.05
March 30, 2012

USD(P&R)

SUBJECT: Transfer of Service Members Between Reserve and Regular Components of the Military Services

References: See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues DoD Directive (DoDD) 1205.05 (Reference (a)) as a DoD Instruction (DoDI) in accordance with the authority in DoDD 5124.02 (Reference (b)) to establish policy, assign responsibilities, update procedures, establish objectives, and provide overall guidance for the transfer of Service members between the Reserve and Regular Components of the Military Services.

b. Incorporates and cancels DoDI 1205.19 (Reference (c)).

2. APPLICABILITY

a. This Instruction applies to:

(1) OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense.

(2) All military personnel other than retired personnel.

b. The transfer of commissioned officers on the Active Duty List (ADL) of a uniformed service to the ADL of another uniformed service is governed by DoD Instruction 1300.04 (Reference (d)). All other inter-Service transfers shall be governed by this Instruction.

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. A Military Service, or two Military Services in the case of an inter-Service transfer, other than those governed by Reference (d), may approve the request or consent to transfer of a Service member with a remaining military service obligation (MSO), pursuant to sections 651, 10145, 12104, or 12208 of title 10, United States Code (U.S.C.) (Reference (e)), if any of these conditions are met:

(1) The Service member's specialty exceeds the manpower requirements of the current Military Service and is needed by the Military Service requesting the transfer of the Service member or the Service member's special experience or the professional, educational, or technical skills are of greater value to the Military Service requesting the transfer of the Service member than to the current Military Service.

(2) Both Military Services approve of the transfer.

(3) The current Military Service disapproves the transfer request and the disapproval is superseded by:

(a) The Secretary of the Military Department concerned when both Military Services are in the same Military Department; or

(b) The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) when the Military Services are in different Military Departments. The Secretary of Homeland Security shall be consulted during the decision process concerning Coast Guard members.

b. The discharge for transfer of a Service member shall not constitute release from, or fulfillment of, the MSO as established by section 651 of Reference (e). Obligated military service performed before and after an authorized transfer shall be counted toward fulfillment of the MSO.

c. The transfer of a Service member with no remaining MSO, other than those governed by Reference (d), may be made at the request or consent of the Service member if both Military Services concur with the transfer.

d. The discharge and subsequent appointment or enlistment of a Service member shall be accomplished without interrupting the continuity of the Service member's military service. The total military service accrued as of the date of transfer shall be credited.

e. The Service member shall complete any obligation for service incurred by contract or agreement with the Service member's current Military Service unless the current Military Service waives the obligation.

f. A Service member who has incurred a financial obligation or received an incentive payment for the current term of enlistment or appointment must honor the conditions of the incentive or financial obligation pursuant to Chapter 2 of DoD 7000.14-R, Volume 7A, (Reference (f)).

g. A Service member of the Army National Guard or the Air National Guard may be released from the National Guard for transfer to a Military Service with the consent of the governor or other appropriate authority of the State, commonwealth, territory, or the District of Columbia in accordance with sections 322 and 324 of title 32, U.S.C. (Reference (g)).

h. The transfer of a Service member shall be to a regular component or to a Reserve Component (RC) category of equal or greater mobilization potential. That requirement may be waived when the Secretaries of the Military Departments concerned concur.

i. The commissioned officer who transfers between Military Services or between the ADL and Reserve Active Status List (RASL) of the same Service shall execute a new appointment that will not reflect a higher relative rank or precedence than that held on the day before the transfer in accordance with section 716 of Reference (e).

j. The commissioned officer who transfers between the ADL and RASL of the same Military Service is not required to subscribe to a new oath of office pursuant to section 3331 of title 5 U.S.C. (Reference (h)).

5. RESPONSIBILITIES. See Enclosure 2.

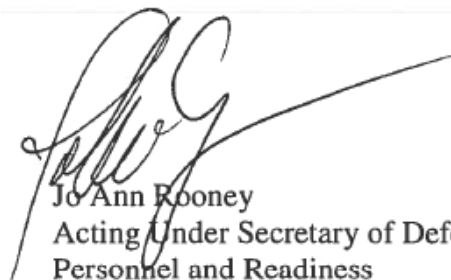
6. PROCEDURES. See Enclosure 3.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE

a. This Instruction is effective upon its publication to the DoD Issuances Website.

b. If the Instruction is not otherwise reissued or cancelled in accordance with DoD Instruction 5025.01 (Reference (i)), it will expire effective March 30, 2022 and be removed from the DoD Issuances Website.



Jo Ann Rooney
Acting Under Secretary of Defense for
Personnel and Readiness

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ENCLOSURE 1

REFERENCES

- (a) DoD Directive 1205.05, "Transfer of Members Between Reserve and Regular Components of the Military Services," April 22, 2004 (hereby cancelled)
- (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (c) DoD Instruction 1205.19, "Procedures for Transfer of Members Between Reserve and Regular Components of the Military Services," April 3, 1995 (hereby cancelled)
- (d) DoD Instruction 1300.04, "Inter-Service Transfer of Commissioned Officers," December 27, 2006
- (e) Sections 651, 716, 10145, 12104, and 12208 of Title 10, United States Code
- (f) DoD 7000.14-R, "Department of Defense Financial Management Regulations (FMRS)," Volume 7A, "Military Pay Policy and Procedures - Active Duty and Reserve Pay," current edition
- (g) Sections 322 and 324 of Title 32, United States Code
- (h) Section 3331 of Title 5, United States Code
- (i) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007
- (j) DoD Directive 5125.01, "Assistant Secretary of Defense for Reserve Affairs (ASD(RA))," December 27, 2006
- (k) DoD 7730.54-M, Volume 1, "Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures," May 25, 2011
- (l) DoD Instruction 1322.17, "Montgomery GI Bill-Selected Reserve (MGIB-SR)," November 29, 1999
- (m) DoD Instruction 1336.05, "Automated Extract of Active Duty Military Personnel Records," July 28, 2009
- (n) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition
- (o) DoD Instruction 1304.25, "Fulfilling the Military Service Obligation (MSO)," August 25, 1997

ENCLOSURE 2

RESPONSIBILITIES

1. USD(P&R). The USD(P&R) shall develop and establish policy and overall guidance on the transfer of Service members between the Military Services.

2. ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS (ASD(RA)). The ASD(RA), under the authority, direction, and control of the USD(P&R), shall:

a. Develop and implement policies and procedures, conduct analyses, and issue guidance to the DoD Components on the transfer of Service members between RCs and regular components, and between the RCs of the Military Services in accordance with DoDI 5125.01 (Reference (j)).

b. Develop systems and standards for the administration and management of approved DoD RC plans and programs.

c. Oversee implementation of this Instruction, ensuring it supports DoD total force objectives.

3. DIRECTOR, DEPARTMENT OF DEFENSE HUMAN RESOURCES ACTIVITY (DoDHRA). The Director, DoDHRA, under the authority, direction, and control of the USD(P&R), shall ensure that the Director, Defense Manpower Data Center (DMDC), provides monthly automated match reports to all components of the Military Services consistent with the procedures in this Instruction.

4. SECRETARIES OF THE MILITARY DEPARTMENTS AND COMMANDANT OF THE COAST GUARD. The Secretaries of the Military Departments and the Commandant of the Coast Guard shall:

a. Implement the policy and procedures in this Instruction within their Department.

b. Accomplish transfers when the proposed transfer conforms to DoD policy as stated in section 4 above the signature of this Instruction.

ENCLOSURE 3

PROCEDURES

1. COMPLETING THE FORM. The DD Form 368, "Request for Conditional Release" (available at <http://www.dtic.mil/whs/directives/infomgt/forms/forminfo/forminfo83.html>), shall be used in all cases involving inter-Service transfers and may be used for intra-Service transfers. An example of a completed DD Form 368 is shown in the Figure.

a. Do NOT use DD Form 368 to enroll an RC Service member into the Delayed Enlistment Program of a regular component.

b. A recruiting official of the Military Service requesting the transfer of the Service member shall complete Section I of the DD Form 368 and forward it to the Service member's current Military Service for action.

c. The current Military Service of the Service member shall complete Section II to respond to the Military Service requesting transfer of the Service member within 30 days of receipt of the DD Form 368. The Military Service requesting the transfer of the Service member shall not enlist or appoint the Service member without the approval of the current Military Service.

(1) The Service member's Service unit commander or designated representative shall complete Section II of DD Form 368. All pays, allowances, benefits, and service obligations that cannot be waived shall be documented in Section IV. Justification of disapproval shall be documented in Section IV.

(2) Upon receipt of an approved Section II, the Military Service requesting the transfer of the Service member may process the Service member for enlistment or appointment.

d. The Military Service requesting the transfer of the Service member shall complete Section III certifying that the Service member has been enlisted or appointed and the appropriate change in strength has been reported. The completed DD Form 368 with a copy of the oath of office (except for an intra-Service officer transfer) shall then be returned to the previous Military Service within 10 working days of the administration of the oath of office.

(1) If the Military Service requesting the transfer of the Service member does not enlist or appoint the Service member, Section IV shall be completed with an explanation and returned to the Service member's current Military Service not later than the expiration date of approval indicated in Section II.

(2) If the Military Service requesting the transfer of the Service member enlists or appoints the Service member, the previous Military Service shall process the Service member for separation and report the appropriate change in strength upon receipt of the completed DD Form 368 and documentation of the oath of office, from the requesting Military Service.

Figure. Sample Completed DD Form 368

REQUEST FOR CONDITIONAL RELEASE <i>(Read Privacy Act Statement and Instructions on back before completing this form.)</i>				
SECTION I - REQUEST FOR RELEASE				
1. SERVICE MEMBER DATA				
a. NAME <i>(Last, First, Middle Initial)</i> Cash, John		b. PAY GRADE E-5	c. SSN or EDIPI 1234567890	d. SERVICE COMPONENT USAFR
e. CURRENT UNIT/ COMMAND 999 AW	f. ADDRESS			
	(1) STREET 1234 Main Street	(2) CITY Anytown	(3) STATE TX	(4) ZIP CODE 78200-0000
2. RECRUITING OFFICE ADDRESS				
a. STREET U.S. Marine Corps Recruiting Office, 90 N. Main Ave		b. CITY Thistown	c. STATE TX	d. ZIP CODE 78200-0001
3. ACKNOWLEDGEMENT OF SERVICE MEMBER				
a. I request a conditional release to process for entrance into another component of the Military Service. If I am a member of the National Guard or Reserve, I understand that I must attend all scheduled training until such time as I am enlisted or appointed into another Service. I also understand that I am to keep my current commander informed of any change in my status.				
b. OFFICER MEMBER ONLY. I hereby tender my resignation from the _____ <i>(current component)</i> ; request that it be accepted contingent upon actual appointment or enlistment in the _____ <i>(requesting component)</i> , and be effective the day preceding the date of my acceptance of appointment or enlistment.				
c. ENLISTED MEMBER ONLY. I understand I will be discharged from my current status effective the day preceding the date of my enlistment or appointment.				
d. MEMBER SIGNATURE	S A M P L E			e. DATE SIGNED YYYYMMDD
4. RECRUITER REQUEST FOR CONDITIONAL RELEASE				
a. Request conditional release to enlist/appoint member into the <u>U.S. Marine Corps Reserve</u> <i>(Service/Component)</i> .				
b. NAME OF RECRUITER <i>(Last, First, Middle Initial)</i> Doe, Jane Z		c. SIGNATURE		d. DATE SIGNED YYYYMMDD
e. TITLE Staff Sergeant				
SECTION II - APPROVAL/DISAPPROVAL				
5. <i>(X as applicable)</i>				
<input checked="" type="checkbox"/>	a. APPROVED. Individual is recommended and conditional release is granted. The release is valid until <u>YYYYMMDD</u> .			
<input type="checkbox"/>	b. DISAPPROVED. Release is not granted. <i>(Explain in "Remarks.")</i>			
6. AUTHORIZING OFFICIAL				
a. NAME <i>(Last, First, Middle Initial)</i> Smith, Della D.		b. TITLE Lieutenant Colonel, USAFR		
c. TELEPHONE NUMBER <i>(Include area code)</i> (123) 456-7890	d. ADDRESS			
	(1) STREET 1234 Main Street	(2) CITY Anytown	(3) STATE TX	(4) ZIP CODE 78200-0000
e. SIGNATURE				f. DATE SIGNED YYYYMMDD
SECTION III - NOTIFICATION OF ENLISTMENT/APPOINTMENT ACTION				
7. The member was administered the oath of enlistment or appointment into <u>U.S. Marine Corps Reserve</u> . THIS FORM AND A COPY OF THE OATH MUST BE RETURNED TO THE ADDRESS IN ITEM 6.d. TO EFFECT THE MEMBER'S DISCHARGE OR WITHDRAWAL OF FEDERAL RECOGNITION.				
8. CERTIFYING OFFICIAL				
a. NAME <i>(Last, First, Middle Initial)</i> Hightower, Samatha J		b. TITLE Major, USMCR		c. UNIT/COMMAND HQ, U.S. Marine Corps Reserve
d. TELEPHONE NUMBER <i>(Include area code)</i> (321) 654-0987	e. ADDRESS			
	(1) STREET 1111 Navy Annex	(2) CITY Arlington	(3) STATE VA	(4) ZIP CODE 20033-0000
f. SIGNATURE				g. DATE SIGNED YYYYMMDD

DD FORM 368, AUG 2011

PREVIOUS EDITION IS OBSOLETE.

Adobe Professional 8.0

Figure. Sample Completed DD Form 368, Continued

SECTION IV - REMARKS
Cite the reason the Service member is not approved for enlistment or appointment into the requesting component of the Military Service,

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. Sections 261, 516, 651, 716, 3013, 5013, 8013, 12104, 12105, 12106, 12107, 12208, 12213, 12214, and 12645; 32 U.S.C. Section 323; and DoD Instruction 1205.05, Transfer of Service Members Between Reserve and Regular Components of the Military Services.

PRINCIPAL PURPOSE(S): To document coordination and concurrence of one Military Service for discharge and accession to another Military Service.

ROUTINE USE(S): None.

S A M P L E

DISCLOSURE: Voluntary; however, failure to furnish all requested information may result in delay or denial of release from current Military Service.

INSTRUCTIONS

GENERAL INSTRUCTIONS.

When this form is not computer generated, use typewriter or dark ink for all entries. Enter all dates in YYMMDD format. Use full street address, city, state and ZIP code for addresses. Use last name, first name, and middle initial format. Use short title Service/Component names: USA, ARNGUS, USAR, USN, USNR, USMC, USMCR, USAF, ANGUS, USAFR, USCG, USCGR.

SECTION I. Completed by recruiter and applicant.

Item 1. Enter applicant's name, pay grade, Social Security Number or Electronic Data Interchange Personal Identifier, current Service/Component, and current unit/command address.

Item 2. Enter recruiter's office address, if applicable.

Item 3. For item 3.b., complete the name of the gaining and losing components. Member signs and dates appropriate blocks.

Item 4. Recruiter, if applicable, completes 4.a. through 4.e. and sends this document to the address in Item 1.e.

SECTION II. Completed by applicant's unit commander or designated representative within 30 days of receipt.

Item 5. If block 5.a. is marked, enter the ending date of this conditional release. If block 5.b. is marked, indicate in Section IV, "Remarks," the reason for disapproval and return to the originator not later than the expiration date in Item 5.a.

Item 6. Enter name, title, signature and date for authorizing official. Indicate in Items 6.c. and d. the address and telephone number for returning completed Section III. Send completed Section II to the address in Item 2.

SECTION III. Completed by enlisting/appointing official within 10 days of enlistment or appointment.

Item 7. Indicate service to which applicant was enlisted/appointed.

Item 8. Completed by individual certifying enlistment/appointment action. Certifying official ensures a copy of the completed DD Form 368 and a copy of the oath are mailed to the address in Item 6.d.

SECTION IV - REMARKS.

Use as necessary. Reference each item on the form to which the remark pertains. (For example: "Item 5.b. Disapproved for the following reason:")

DD FORM 368 (BACK), AUG 2011

Reset

2. COORDINATING RESPONSIBILITIES. When a Service member transfers between the Selected Reserve of two of the RCs, it is incumbent upon both the previous and current components of the Military Services to follow the procedural guidance in this Instruction and to comply with the gain and loss transaction reporting requirements in accordance with DoD Manual 7730.54-M, Volume 1 (Reference (k)) to preclude the occurrence of any break in a Service member's Selected Reserve affiliation. Any break in Selected Reserve affiliation greater than 24 hours may result in a Service member losing eligibility for benefits such as health benefits and educational assistance from the Montgomery GI Bill-Selected Reserve Program according to DoD Instruction 1322.17 (Reference (l)). Recoupment actions may begin if the Service member's Selected Reserve affiliation is not maintained while transferring between the Selected Reserve of the Military Services.

3. STRENGTH ACCOUNTING REQUIREMENTS. The DMDC shall produce a monthly report from the Reserve Component Common Personnel Data System consistent with Reference (k) and the Automated Extracts of Active Duty Military Personnel Records consistent with DoD Instruction 1336.05 (Reference (m)) to identify those Service members with a dual affiliation among the components of the Military Services. Upon receipt of this report indicating the dual affiliation of a Service member, the current Military Service shall resolve the duplication with the previous Military Service. The previous component of the Military Service will use the match report as verification that the Service member has been enlisted or appointed in another Military Service in lieu of receiving a completed DD Form 368 and the oath of office. The previous and current components of the Military Services shall ensure that proper strength accounting changes are entered into their automated personnel system.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ADL	Active Duty List
ASD(RA)	Assistant Secretary of Defense for Reserve Affairs
DMDC	Defense Manpower Data Center
DoDD	Department of Defense Directive
DoDHRA	Department of Defense Human Resources Activity
DoDI	Department of Defense Instruction
MSO	military service obligation
RASL	Reserve Active Status List
RC	Reserve Component
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this Instruction..

Military Service. Defined in Joint Publication 1-02 (Reference (n)). For the purpose of this Instruction, the term “Military Services” includes the RCs, which include the Army and the Air National Guard of the United States.

MSO. The statutory obligation incurred by a person who becomes a Service member as provided in section 651 of Reference (e), and regulations prescribed by the Secretary of Defense for the Military Services under his or her jurisdiction, and by the Secretary of Homeland Security for the Coast Guard when it is not operating as a Service in the Department of the Navy, unless such Service member is sooner discharged. Pursuant to DoDI 1304.25 (Reference (o)), the MSO is 8 years.

RC. Defined in Reference (n).

transfer. The movement of a Service member from an RC or regular component of a Military Service, by discharge and subsequent enlistment or appointment within 24 hours, to another RC or regular component of a Military Service.