

(2) The provisions of paragraph (c) (8) (iv) of this section should tend to bring drill pay attendance closer to 100 per cent of authorized paid drill strength.

(v) If members of the Selected Reserve (paragraph (c) (8) (i) of this section) fail to join another unit within a period of 60 days, they will be ordered to active duty in accordance with paragraph (b) of this section, unless they are considered eligible to be handled as "exceptions" under policies outlined under paragraph (c) (1) through (7) of this section.

(9) Individuals who change residence outside the United States, its possessions and the Commonwealth of Puerto Rico—

(i) Regardless of physical location, are subject to the provisions of (c) (8) of this section.

(ii) Will be directed to notify their units if they plan to leave the areas listed in paragraph (c) (8) of this section, and will be counseled by their unit commander as to the consequences.

(d) *Other compliance measures.* (1) Except as provided in paragraph (c) of this section, the active-duty-for training for 45 days measure authorized by 10 U.S.C. 270 will be used primarily for members of the Ready Reserve who do not participate satisfactorily and who have completed 24 months of active duty.

(2) Priority for induction under the provisions of section 6(c) (2) (D), of the Military Selective Service Act of 1967 will be invoked only in cases of nonlocatable members.

(3) Members having no statutory reserve obligation and who do not perform satisfactorily as members of the Ready Reserve will be discharged, or if eligible, upon their request, transferred to the Standby Reserve or Retired Reserve.

(e) *Delay from involuntary order to active duty.* (1) Individuals who become subject to being ordered to active duty under this Directive may be delayed, as prescribed by the Secretary of the Military Department concerned, from active duty for the purposes of taking State or Federal examinations, seasonal employment, and for similar cogent reasons. Upon termination of such delays, reservists will be ordered to active duty.

(2) Those members whose orders to active duty have been delayed for reasons other than willful unsatisfactory participation and who join a unit during the period of delay will not be ordered to active duty.

PART 101—PARTICIPATION IN RESERVE TRAINING PROGRAMS

Sec.

101.1 Purpose and applicability.

101.2 Definitions.

101.3 Guidance.

AUTHORITY: The provisions of this Part 101 issued under title 10, U.S.C., section 270.

§ 101.1 Purpose and applicability.

This part sets forth guidance to the Secretaries of the military departments in establishing criteria and training requirements for "satisfactory participation" by members of reserve components of the Armed Forces, in compliance with title 10, U.S.C., section 270 (a), (b), and (c) and title 32, U.S.C., section 502(a), and establishes uniform DoD policy for training members of the Reserve forces who may be temporarily residing in sovereign foreign nations.

[36 F.R. 22235, Nov. 23, 1971]

§ 101.2 Definitions.

For purposes of administering section 270(a) of title 10, U.S.C., the terms "enlisted" and "appointed" refer to initial entry into an Armed Force through enlistment or appointment.

[36 F.R. 22235, Nov. 23, 1971]

§ 101.3 Guidance.

The Secretaries of the military departments will issue regulations prescribing criteria and training requirements for satisfactory participation in Reserve training programs by members of Reserve components of the Armed Forces and exceptions thereto, consistent with the following:

(a) *Reserve participation*—(1) *Training requirements under section 270(a), title 10, U.S.C.* (i) Each individual inducted, enlisted, or appointed in any Armed Force after August 9, 1955, who becomes a member of the Ready Reserve (by other means than through membership in the Army National Guard of the United States or of the Air National Guard of the United States (see subparagraph (2) of this paragraph)) is required during his statutory period in the Ready Reserve to participate or serve as follows. Except as provided in Part 102 of this subchapter, he must participate or serve:

(a) In at least forty-eight (48) scheduled drills or training periods and not less than fourteen (14) days (exclusive of traveltime) of active duty for training during each year; or

(b) On active duty for training for not more than thirty (30) days each year unless otherwise specifically prescribed by the Secretary of Defense.

(i) The provisions of subdivision (i), of this subparagraph, do not apply to graduates of the Federal and State maritime academies who are commissioned in the Naval Reserve.

(2) *Training requirements under section 502(a), title 32, U.S.C.* Apply to the Secretaries of the Army and Air Force only. Members of the Army and Air National Guard will be required to:

(i) Assemble for drill and instructions at least forty-eight (48) times a year, and

(ii) Participate in training at encampments, maneuvers, or other exercises at least fifteen (15) days a year, unless excused by the Secretaries of the Army or Air Force, as appropriate.

(3) *Active duty.* Enlisted individuals who have served 2 years on active duty or who, under the policy and regulations of the service concerned, were credited with having served the 2-year active duty requirement of 10 U.S.C. 511(b) will not be required to perform duty as described in subparagraph (1) (i) (a) and (b), of this paragraph, unless they enlisted under the provisions of 10 U.S.C. 511 (b) or (d), and they incur an obligation to participate in the Ready Reserve in an active training status during their statutory period of service in the Ready Reserve, or, unless after diligent recruiting effort, it is determined by a Secretary or his designee that a vacancy in the Selected Reserve cannot be otherwise filled.

(4) *Active duty served in a combat zone.* (i) Except as specified in subdivision (ii), of this subparagraph, enlisted individuals who (a) have served on active duty in a combat zone for hostile fire pay (or other areas as prescribed by the Secretary of Defense) for a total of thirty (30) days or more, or (b) are wounded while on active duty in hostile fire areas, will not be required to perform duty involuntarily (as described in subparagraphs (1) (i) (a) and (2) of this paragraph. However, those same individuals may be required to participate or serve on active duty for training for not more than thirty (30) days each year, unless otherwise specifically prescribed by the Secretary of Defense.

(ii) Individuals, who enlisted under the provisions of 10 U.S.C., section 511 (b) or (d) and serve on active duty as described in subdivision (i) of this sub-

paragraph, are obligated to participate in the Ready Reserve in an active training status during the statutory period of service in the Ready Reserve.

(5) Notwithstanding the exclusion of the individual, enlisted under the provisions of section 511 (b) or (d), title 10, United States Code, from the policies set forth in subparagraphs (3) and (4), of this paragraph, the Secretaries of the military departments may, with the approval of the Secretary of Defense, establish criteria which may excuse certain enlistees from performing the duty described in subparagraph (1) of this paragraph, depending upon the particular needs of the military department.

(b) *Criteria for satisfactory performance.* Within the general policy outlined in paragraph (a) of this section, the minimum number of drills and minimum amount of annual training prescribed by the Secretaries of the military departments concerned will be no less than the training required to maintain the proficiency of the unit and the skill of the individual. In establishing annual training requirements under this policy, the Secretaries:

(1) May grant exceptions under circumstances outlined below for individuals who are subject to the training requirements outlined in paragraphs (a) (1) and (2), of this section.

(i) To the degree that it is consistent with military requirements, the personal circumstances of an individual may be considered in assigning him to a training category prescribed in Part 102 of this subchapter except as otherwise provided by Part 100 of this subchapter.

(ii) Individuals who have performed a minimum initial tour of extended active duty, as prescribed by the respective Departments may be placed in category I (no training) as defined in Part 102 of this subchapter when the Secretary of the Department concerned determines that no training for mobilization requirement exists because of (a) changes in military skills required, (b) the degree of military skill held by the individual, or (c) compatibility of the individual's civilian occupation with his military skill.

(iii) While individuals are undergoing training under the provisions of paragraphs (1) and (2), section 6(d) of the Military Selective Service Act of 1967, they will not be required to engage in any other training program.

(2) May grant exceptions (regarding unexcused absences) after considering the individual's manner of performance of prescribed training duty under the provisions of paragraphs (a) (1) and (2) of this section (including performance by individuals subject to revocation of commission under paragraphs (1) or (2), section 6(d) of the Military Selective Service Act of 1967,) and provided the unexcused absence does not exceed 10 percent of scheduled drills or training periods. (For purposes of interpretation under this subparagraph, excused absence includes failure to attend scheduled drills or training periods or to report for annual active duty for training because of sickness, injury, or some other circumstance beyond the individual's control and where, at the discretion of the designee of the Secretary of the military department concerned, the training is made up by performance of equivalent drills or training periods—all other situations are considered unexcused absences.)

(3) Shall require individuals to (i) meet the standards of satisfactory performance of training duty set forth in subparagraph (2) of this paragraph, or (ii) participate satisfactorily in an officers' training program as provided in subparagraph (1) (iii) of this paragraph, in order to continue in a draft-deferred status under provisions of clauses (A) and (B), paragraph (2), section 6(c), and paragraphs (1) and (2), section 6(d) of the Military Selective Service Act of 1967. The placement of such individuals in the Standby Reserve as a result of the screening process prescribed in Part 125 of this subchapter, will continue to constitute satisfactory performance of service under § 1622.13(h) of the Selective Service regulations, of this title.

(c) *Compliance measures.* (1) Enlisted individuals who have served 2 years on active duty or who, under the policy and regulation of the service concerned, were credited with having served the 2-year active duty requirement of 10 U.S.C., 511(b) and who are subject to the participation requirements of section 270(a) of title 10, U.S.C. or section 502(a) of title 32, U.S.C. and who fail to satisfactorily perform training duty as defined above may be ordered to active duty for training for not more than forty-five (45) days, as authorized by sections 270

(b) and (c) of title 10. Individuals who fail to comply with orders to perform such duty shall be liable to disciplinary action under the Uniform Code of Military Justice.

(2) Compliance measures for unsatisfactory participation by individuals with less than two (2) years of active duty will be governed by the provisions of Part 100 of this subchapter.

(d) *Cancellation of draft deferment.* Officers in a draft deferred status subject to clause (D), paragraph (2), section 6(c) of the Selective Service Act of 1967 who fail to perform satisfactorily will be certified to the Selective Service System for induction.

(e) *Revocation of commission.* Under the provisions of section 6(d) of the Selective Service Act of 1967, revocation of commission will be effected only after the individual concerned has been certified to the Selective Service System, as provided in paragraph (d) of this section.

(f) *Reserve training in sovereign foreign nations.* (1) The Secretaries of the military departments may authorize the conduct of scheduled drills or training periods, correspondence courses, and such other active or inactive duty training as they consider appropriate for members of the Reserve forces who may be temporarily residing in sovereign foreign nations which permit the United States to maintain troops of the active military forces (other than Military Advisory Assistance Group or attache personnel) within their boundaries.

(2) Prior to authorizing such training, the Secretaries of the military departments will instruct the attachés representing their respective Departments to inform the United States Ambassador and the appropriate officials of the foreign government of the intent to conduct such training. If the foreign government interposes any objection, the Secretaries of the military departments will furnish all the facts and their recommendations to the Secretary of Defense.

(3) This policy does not prohibit the conduct of inactive duty training, such as correspondence courses, in those sovereign foreign countries in which the United States does not maintain active military forces and where an agreement between the United States and the sovereign foreign nation concerned has

been made for the conduct of such training.

[36 F.R. 22235, Nov. 23, 1971]

PART 102—UNIFORM TRAINING CATEGORIES AND PAY GROUPS WITHIN THE RESERVE COMPONENTS

- Sec.
- 102.1 Purpose and applicability.
- 102.2 Definitions.
- 102.3 Training categories.
- 102.4 Uniform pay groups.
- 102.5 Tours of active-duty-for-training in excess of fourteen (14) consecutive days of active duty.
- 102.6 Basic requirements and policy.
- 102.7 Participation in civil defense activities.
- 102.8 Retirement point credits authorized for participation in civil defense activities.
- 102.9 Activities (job descriptions).

AUTHORITY: The provisions of this Part 102 issued under sec. 301, 80 Stat. 379; 5 U.S.C. 301.

SOURCE: The provisions of this Part 102 appear at 35 F.R. 2871, Feb. 12, 1970, unless otherwise noted.

§ 102.1 Purpose and applicability.

This part establishes policy guidance for use by the Secretaries of the Military Departments in the administration and management of Reserve Components under their jurisdiction, including (a) designation of uniform training categories for Ready Reserve and Standby Reserve of the Armed Forces pursuant to 10 U.S.C. 2001; (b) establishment of uniform Ready Reserve pay groups for budget and pay purposes; and (c) provision of uniform planning and budgeting policies and procedures relating to and authorizing tours of active-duty-for-training with pay in excess of fourteen (14) consecutive days for selected personnel of the Reserve Components of the Armed Forces.

§ 102.2 Definitions.

(a) Ready Reserve consists of units or Reserves, or both, liable for active duty as outlined in title 10 U.S.C. 672 and 673. 10 U.S.C. 268 provides for an authorized strength of 2,900,000 in the Ready Reserve which includes members of the Reserve Components on active duty. Accordingly, the authorized strength of the Ready Reserve of the DOD not on active duty is 2,500,000 allocated to the Mil-

tary Departments, and 26,500 allocated to the Secretary of Transportation for the Coast Guard Reserve, as follows:

<i>Service</i>	<i>Authorized Ready Reserve strength</i>
Army -----	1, 448, 000
Navy -----	530, 000
Air Force -----	314, 000
Marine Corps -----	208, 000
Coast Guard -----	26, 500
Total -----	2, 526, 500

(b) Selected Reserve consists of members of the Ready Reserve in pay groups A, B, C and F. These Reservists are either (1) members of units who (i) regularly participate in drills and annual active-duty-for-training or annual field training in the case of the National Guard, or (ii) are on initial active duty for training, or (2) individuals who participate in regular drills and annual active-duty-for-training on the same basis as members of Reserve units. Excluded from the Selected Reserve are (i) reservists who only participate in annual active-duty-for-training but are not paid for attendance at regular drills (pay categories D and E), (ii) reservists enrolled in Reserve Officers Training Corps (ROTC) training, (iii) members of the individual Ready Reserve pool, and (iv) reservists on extended active duty.

(c) Standby Reserve consists of those units or members, or both, of the Reserve Components (other than those in the Ready Reserve or Retired Reserve), who are liable for active duty only as provided in 10 U.S.C. 273, 672 and 674. The Active status list of the Standby Reserve shall be composed of Reservists who (1) are completing their statutory military service obligation or (2) are being retained in an active status under 10 U.S.C. 1006, or (3) were screened from the Ready Reserve as being key personnel, or (4) may be temporarily assigned to the Standby Reserve for hardship or other cogent reason determined by the Secretary concerned, with the expectation of their being returned to the Ready Reserve.

§ 102.3 Training categories.

(a) Each unit and member of the Ready Reserve and Standby Reserve not on active duty shall be placed in one of the following training categories, as de-