



DoD INSTRUCTION 1352.01

MANAGEMENT OF REGULAR AND RESERVE RETIRED MILITARY MEMBERS

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Approved by:	Peter Levine, Performing the Duties of the Under Secretary of Defense for Personnel and Readiness

Purpose: This issuance:

- Establishes policy, assigns responsibilities, and provides general procedures for the activation and employment of regular and Reserve retired members.
- Implements Sections 688, 973, 12301, and 12307 of Title 10, United States Code (U.S.C.) prescribing uniform policy and guidance governing the management of retired regular and Reserve military personnel preparing for their use during an activation in time of war or a national emergency.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to 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 DoD (referred to collectively in this issuance as the “DoD Components”).

1.2. POLICY. It is DoD policy that:

- a. Regular retired members and members of the retired Reserve may be ordered to active duty (AD) as needed to perform such duties as the Secretary concerned considers necessary in the interests of national defense as described in Sections 688 and 12301 of Title 10, U.S.C.
- b. Regular retired members and members of the retired Reserve must be managed to ensure they are accessible for national security and readiness requirements.
- c. Regular and Reserve retired members may be used as a manpower source of last resort after other sources are determined not to be available or a source for unique skills not otherwise obtainable.
- d. Directors of agencies that have Defense related missions, such as the Federal Emergency Management Agency, the Selective Service System, and organizations with missions in support of the North Atlantic Treaty Organization, may identify military and federal civilian positions that are suitable for fill by retired military members in time of war or national emergency, and provide a list of requirements to the Military Services for validation and prioritization for fill.

1.3. INFORMATION COLLECTION REQUIREMENTS. The Reserve Components Common Personnel Data System: Transaction File, referred to in Paragraph 3.1.c.(3), has been assigned report control symbol DD-RA(D)1148 and is prescribed in Volume 1 of DoD Manual 7730.54.

SECTION 2: RESPONSIBILITIES

2.1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) develops and establishes overall policy guidance for the administration and management of regular and Reserve retired military members.

2.2. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)). Under the authority, direction, and control of the USD(P&R), the ASD(M&RA) develops overall policy for the management and mobilization of DoD retired military members and monitors compliance with this issuance.

2.3. DIRECTORS OF THE DEFENSE AGENCIES AND DOD FIELD ACTIVITIES. The Directors of the Defense Agencies and DoD Field Activities, under the authority, direction, and control of their OSD Principal Staff Assistants, will identify military and federal civilian positions that are suitable for fill by retired military members in time of war or national emergency and provide a list of requirements to the Military Services for validation and prioritization for fill in accordance with Section 3.

2.4. SECRETARIES OF THE MILITARY DEPARTMENTS AND THE COMMANDANT OF THE U.S. COAST GUARD (USCG). The Secretaries of the Military Departments and the Commandant of the USCG:

- a. Ensure compliance with this issuance.
- b. Validate positions identified by the DoD Components, the USCG, and Defense Agencies with Defense-related missions as suitable for fill by retired military members.
- c. Retain the right to disapprove requests received from agencies identified in Paragraphs 1.2.d. and 2.3. for retired military members, if no retired military member is available.
- d. Establish priorities for fill of identified requirements.
- e. Prepare plans and establish procedures for management and mobilization of retired military members in conformance with this issuance and in accordance with Title 10, U.S.C.
- f. Integrate retired military member mobilization requirements into Service mobilization plans and procedures.

SECTION 3: PROCEDURES

3.1. STATUS AND ACCOUNTING OF RETIREES.

a. Regular Component Retired Members. Each Military Service will maintain retired lists in accordance with Sections 3966, 6331, 6332, and 8966 of Title 10, U.S.C. that are composed of:

(1) Regular officers and enlisted members who retire from the Military Services in accordance with Chapters 61, 63, 65, 367, 571, 573, 867, 869 of Title 10, U.S.C., or Chapter 11 of Title 14, U.S.C., and are entitled to retired, retirement, or retainer pay.

(2) Navy or Marine Corps regular or Reserve enlisted members who requested transfer to the Fleet Reserve and Fleet Marine Corps Reserve under Section 6330 of Title 10, U.S.C. and entitled, when not on active duty, to retainer pay computed under Section 6333 of Title 10, U.S.C.

b. Retired Reserve of the Armed Forces. Each Military Service will maintain a retired list of Reserve Component (RC) members in accordance with Section 12774 of Title 10, U.S.C. who are in the Retired Reserve that are composed of:

(1) Retired RC Service members who have completed the requisite qualifying years creditable for non-regular retired pay pursuant to Chapter 1223 of Title 10, U.S.C. and have reached the designated retirement age in accordance with Section 12731(f) of Title 10, U.S.C., and are entitled to retired pay.

(2) RC Service members who have completed the requisite qualifying years creditable for non-regular retired pay pursuant to Chapter 1223 of Title 10, U.S.C., but are either not eligible to receive retired pay, or are eligible to receive retired pay but have not applied for such pay.

(3) Retired RC Service members for a physical disability in accordance with Service disability evaluation procedures pursuant to Sections 1201, 1202, 1204, or 1205 of Title 10, U.S.C. and RC Service members who are 30-percent or more disabled and otherwise qualified pursuant to Section 1201 of Title 10, U.S.C.

(4) RC Service members who have completed the requisite years of active service and are receiving regular retired or retainer pay. Except for regular enlisted Service members of the Navy and the Marine Corps with 20 or more, but less than 30, years of active military service who are transferred to the Fleet (Navy) Reserve or the Fleet Marine Corps Reserve upon retirement. They remain in the Fleet Reserve or Fleet Marine Corps Reserve until they have completed a combined total of 30 years of active and retired or retainer service.

c. Accounting.

(1) All regular retirees and members of the Retired Reserve are in an inactive status and do not qualify for consideration for promotion.

(2) Enlisted retirees do not have a current enlistment.

(3) The Secretary concerned may direct that any qualified member of an RC or any qualified retired enlisted member of a regular component may, upon his request, be placed in the Ready Reserve. A member of the Retired Reserve entitled to retired pay or a retired enlisted member of a regular component may not be placed in the Ready Reserve unless the Secretary concerned makes a special finding that the member's services in the Ready Reserve are indispensable. The authority of the Secretary concerned may only be delegated in accordance with Section 10145(d) of Title 10, U.S.C.

(4) Retirees activated in accordance with Section 688 or 12301 (a) and (d) of Title 10, U.S.C. remain in their retired status. Regular retirees activated under Section 688 of Title 10, U.S.C., are included in the active component strength, and members of the Retired Reserve activated under Section 12301 of Title 10, U.S.C., are accountable in active duty for operational support strengths in accordance with DoD Instruction (DoDI) 1215.06.

(5) Military Services will report the regular and Reserve retirees recalled to active duty pursuant to DoDIs 1336.05 and 7730.54.

3.2. MANAGEMENT OF RETIRED MILITARY MEMBERS.

a. Management Systems. Retired military member management systems will quickly identify retiree location and military skills to expedite mobilization of retirees to a wide range of mobilization and geographic locations.

b. Retired Military Member Information. The Military Services are responsible for the development and maintenance of current information on the mobilization availability of retired military members. Such information includes, but is not limited to, date of retirement, date of birth, current address, and military qualifications. Additionally, the Military Services will maintain information on the availability for mobilization and the physical condition of Category I and II retired military members. Indication of physical condition may be certified by the individual retired military member.

c. Mobilization Criteria. As part of the criteria for deployment of individuals to specific mobilization billets, the Military Services will consider the criticality of the mobilization billet, the skills of the individual, and his or her geographic proximity to the place of mobilization. To the extent practical, retired military members will be given the opportunity to volunteer for specific deployments.

d. Annual Planning for Billets Filled by Retirees.

(1) The Secretary of the Military Department concerned and the Commandant of the USCG will annually develop plans and procedures to identify military staff augmentation requiring fill by retired personnel. The DoD Component heads, the Commandant of the USCG, and heads of federal agencies, as appropriate, will provide a list of requirements to the Military Services. The Secretaries of the Military Departments concerned and the Commandant of the USCG will establish priorities for fill once all requirements are identified.

(2) As part of the appropriate annual planning process, the Directors of Defense Agencies and DoD Field Activities will identify military and federal civilian positions that are suitable for fill by retired military members, and provide a list of requirements to the Military Departments for validation and prioritization for fill.

(3) The Directors of Defense Agencies and DoD Field Activities will process the requirements according to respective Military Service policy, including any appropriate coordination under DoDI 1000.17, before the positions are filled by the Military Services.

(4) Each Military Service will develop procedures for managing Categories I and II retirees.

e. Validation Requirements. The Secretary of the Military Department concerned or the Commandant of the USCG will review and validate each position designated to be filled by a retired military member. The criteria considered will be the structure of the organization, the expanded workload requirements in national emergencies, current manpower authorizations, and existing manpower infrastructures supporting the organizations.

f. Mobilization Priority. The priority for use of retired military members will be:

- (1) Use by their own Service.
- (2) Use by another Service, Defense Agency, or DoD Field Activity.
- (3) Use by a civilian federal department or agency.
- (4) Any other approved use.

g. Utilization of Retired Military Members.

(1) Categories I and II retired military members who are physically qualified may be identified for potential deployment to positions that must be filled within 30 days after mobilization.

(2) The nature and extent of the mobilization of Category III retirees will be determined by each Military Service, based on the retiree's military skill and, if applicable, the nature and degree of the retiree's disability. Category III retirees generally should be deployed to civilian defense jobs upon mobilization, unless they have critical skills or volunteer for specific military jobs.

(3) Retired military members who live overseas will be considered first by the Military Service concerned to meet mobilization augmentation requirements at overseas, U.S., or allied military installations or activities that are near their places of residence.

h. Refresher Training. The Secretary of the Military Department concerned or the Commandant of the USCG will determine the necessity for, and the frequency of, refresher training of retired military members, based on the needs of the Military Service and the specific

military skills of the retired military member. Emphasis will be on voluntary refresher training. Civilian-acquired skills may eliminate the need for refresher training.

i. Mobilization Liability.

(1) All retired military members should inform their employers concerning their liability for recall to AD in a mobilization or national emergency, and, when applicable, the procedures for designating their position as a key position in accordance with DoD Directive 1200.7.

(2) Federal and non-federal employers are encouraged to use the criteria defined in DoD Directive 1200.7 when designating a position as a key position.

(3) Federal employers are encouraged to review their employment rolls annually to determine if they employ any retired military members who are filling key positions.

(4) Chapter 43 of Title 38, U.S.C. (also known as the “Uniformed Services Employment and Reemployment Rights Act of 1994”), applies to retired military members recalled to AD.

j. Records. Military Services will maintain current personnel records and other necessary records for retired military members in accordance with the Privacy Act of 1974, as amended, DoD Directive 5400.11, and DoD 5400.11-R. The Military Services will:

(1) Develop procedures for identifying Categories I and II retirees.

(2) Ensure retired military members are advised of their duty to provide the Military Services with accurate mailing addresses and any changes in civilian employment, military qualifications, availability for service, and physical condition.

k. General or Flag Officers. When any general or flag officer is recalled from retirement, the appropriate Military Department (excluding the Coast Guard when it is not a Service in the Navy) request must be coordinated with the Deputy Assistant Secretary of Defense for Military Personnel Policy. This will ensure compliance with statutory accountability.

3.3. MOBILIZATION.

a. General. The Military Services will establish plans and procedures to use those retired military members who meet specific skill and experience requirements to fill mobilization billets, when there is not enough active or qualified Reserve manpower available.

b. Involuntary Order to Active Duty (AD).

(1) The Secretary of the Military Department concerned or the Commandant of the USCG may order a retired member of an RC of a Military Service to AD for the duration of a war or emergency and for 6 months after on the basis of required skills, provided:

(a) Congress has declared a time of war.

(b) The Secretary concerned or the Commandant of the USCG, with the approval of the Secretary of Defense or Secretary of Homeland Security in the case of the USCG, determines there are not enough qualified Reserves in an active status or in the Inactive National Guard.

(2) The Secretary of a Military Department or the Commandant of the USCG may order any retired regular member, retired Reserve member who has completed at least 20 years of active service, or a member of the Fleet Reserve or Fleet Marine Corps Reserve to AD in accordance with Section 688 and 12301(a) of Title 10, U.S.C. at any time to perform duties deemed necessary in the interests of national defense in accordance with Sections 688, 689, 690, and 12307 of Title 10, U.S.C.

(3) This includes the authority to order a retired member who is subject to the Uniform Code of Military Justice as defined in Sections 801-940 of Title 10, U.S.C. to AD to facilitate the exercise of court-martial jurisdiction pursuant to Section 802(a) of Title 10, U.S.C.

c. Graduated Mobilization Response. The Military Services will develop plans and procedures for ordering retired military members to AD in accordance with a schedule that includes partial and full mobilization requirements.

d. Types of Employment. Retirees ordered to AD will be assigned in accordance with guidance prescribed by the Secretary of the Military Department concerned or the Commandant of the USCG as follows:

(1) To fill shortages or to augment deployed or deploying units and activities or units in the continental United States (48 States, 3 territories, and the District of Columbia), Alaska, and Hawaii supporting deployed units.

(2) To release other military members for deployment overseas.

(3) Subject to the limitations of Section 973 of Title 10, U.S.C. and DoDI 1000.17, to fill federal civilian workforce shortages in the DoD, the USCG, or other government entities.

(4) To detail outside the DoD to meet national security needs in organizations with Defense-related missions, subject to approval in accordance with DoDI 1000.17.

(5) To perform other duties that the Secretary of the Military Department concerned or the Commandant of the USCG considers necessary in the interests of national defense.

e. Pay. Retired military members will be ordered to AD with full pay and allowances. They may not be used to fill mobilization billets in a non-pay status.

f. Grade. In general, a retired member recalled to AD will serve in the member's retired grade, in accordance with Section 689 of Title 10, U.S.C.

(1) Retired general or flag officers at the grade O-9 and O-10 will be ordered to AD at the highest permanent grade held while serving on AD.

(2) For retirees below the grade of O-9 who served in a grade higher than their retired grade, the Secretary of the Military Department concerned or the Commandant of the USCG may order them to AD in that higher grade.

3.4. AUGMENTATION.

a. General. The Secretary of the Military Department concerned or the Commandant of the USCG will establish procedures to order retired military members to AD.

b. Voluntary Order to AD. The Secretary of the Military Department concerned or the Commandant of the USCG may order retired members of an RC to AD with their consent in accordance with Section 12301(d) of Title 10, U.S.C.

c. Limitations on Use of Retired Military Members.

(1) Except in time of war declared by Congress or national emergency declared by the President, the following officers may not be ordered to AD:

(a) An officer who retired under Section 638 of Title 10, U.S.C.

(b) An officer who, after having been notified that the officer was to be considered for early retirement by a board convened under Section 611(b) of Title 10, U.S.C., requested early retirement and was subsequently retired pursuant to that request.

(2) Except in time of war declared by Congress or national emergency declared by the President, the total number of retired general officers on AD from any one Military Service may not exceed 15. Retired general officers ordered to AD for fewer than 60 days are not counted in accordance with Section 690 of Title 10, U.S.C.

(3) Except in time of war declared by Congress or national emergency declared by the President, the total number of retired officers on AD from any one Military Service may not exceed 25 in accordance with Section 690 of Title 10, U.S.C.

(4) Except in time of war declared by Congress or national emergency declared by the President, regular retired members of the Coast Guard may not be ordered to AD by the Secretary of Homeland Security in accordance with Section 331 of Title 14, U.S.C. for officers and by the Commandant of the USCG in accordance with Section 359 of Title 14, U.S.C. for enlisted members.

(5) Except in time of war declared by Congress or national emergency declared by the President, retired military members may not be ordered to AD for more than 12 months during the 24-month period commencing on the first day of such order to AD in accordance with Section 688 of Title 10, U.S.C.

(6) In administering the limits established in Paragraphs 3.4.c. (3) and (5), do not count:

(a) A chaplain mobilized to duties as a chaplain during a period of recall to AD.

(b) An officer designated as a healthcare professional mobilized to healthcare professional duties during a period of recall to AD.

(c) Any officer mobilized to duty with the American Battle Monuments Commission during a period of recall to AD.

(d) An officer mobilized to duty as a defense attaché or Service attaché for the period of active duty to which ordered.

3.5. DEACTIVATION.

a. Pay. Once demobilized, the member's retired pay will be recomputed in accordance with Sections 1402 and 1402a of Title 10, U.S.C.

b. Grade. The member's grade when demobilized will be in accordance with Sections 689 and 1370 of Title 10, U.S.C.

GLOSSARY

G.1. ACRONYMS.

AD	active duty
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
DoDI	DoD instruction
RC	Reserve component
U.S.C.	United States Code
USCG	United States Coast Guard
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

G.2. DEFINITIONS. Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

Category I. Non-disability retired military members under 60 years old and who have been retired 5 years or fewer years.

Category II. Non-disability retired military members under 60 years old and who have been retired more than 5 years.

Category III. Retired military members, including those retired for disability or any retired member over 60 years old.

key positions. Defined in DoDI 1215.06.

retired member. A member or former member of the armed forces who is entitled, under statute, to retired, retirement, or retainer pay on account of service as a member.

Retired Reserve. Defined in Joint Publication 1-02.

REFERENCES

- DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
- DoD Directive 1200.7, “Screening the Ready Reserve,” November 18, 1999
- DoD Directive 5400.11, “DoD Privacy Program,” October 29, 2014
- DoD Instruction 1000.17, “Detail of DoD Personnel to Duty Outside the Department of Defense,” October 30, 2013
- DoD Instruction 1215.06, “Uniform Reserve, Training, and Retirement Categories for the Reserve Components,” March 11, 2014, as amended
- DoD Instruction 7730.54, “Reserve Components Common Personnel Data System (RCCPDS),” May 20, 2011
- DoD Manual 7730.54, Volume 1, “Reserve Components Common Personnel Data System (RCCPDS): Reporting Procedures,” May 25, 2011, as amended
- Joint Publication 1-02, “Department of Defense Dictionary of Military and Associated Terms,” current edition
- United States Code, Title 5, Section 552a (also known as “the Privacy Act of 1974”)
- United States Code, Title 10
- United States Code, Title 14