

## MILPERSMAN 1300-081

### INTERSERVICE TRANSFER OF AN OFFICER OUT OF THE NAVY

<b>Responsible Office</b>	NAVPERSCOM (PERS-8331)	Phone:	DSN	882-2085
			COM	(901) 874-2085
			FAX	882-2621

NAVPERSCOM CUSTOMER SERVICE CENTER	Phone:	Toll Free	1-866-U ASK NPC
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<b>References</b>	(a) 10 USC (b) DoD Instruction 1300.4 of 27 Dec 06 (c) NAVSO P-6048, DoD Military Pay and Allowance Entitlements Manual (d) DoD Instruction 1312.03 of 6 Oct 06
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#### 1. Policy

a. Under reference (a), section 716 the President may, within authorized strengths, transfer any commissioned officer with the officer's consent from the:

- (1) Navy,
- (2) Army,
- (3) Air Force,
- (4) Marine Corps,
- (5) Coast Guard,
- (6) National Oceanic and Atmospheric Administration (NOAA), or
- (7) Public Health Service (PHS),

and appoint the officer in any of the other Uniformed Services, except for Reserve officers on inactive duty. The interservice transfers are approved by the Secretaries concerned, or a designated representative, for the President.

b. In the case of an inactive duty officer, Navy Personnel Command (NAVPERSCOM), Reserve Officer Status Branch (PERS-911) is designated approval authority.

c. The transfer must be within authorized strength limitations of the gaining Uniformed Service and must be mutually agreed upon by the two departments concerned, that the transfer is in the best interests of the national defense. Interservice transfers will be disapproved if either the gaining or losing department does not concur.

2. **Conditions of Transfer.** Implementing regulations state the following:

a. Transfers are normally made only between equivalent services, that is, Reserve to Reserve and Regular to Regular. (The NOAA commissioned corps does not have a Reserve component.)

b. The opportunity for interservice transfer is offered to those officers who are especially qualified to contribute to the success of another Uniformed Service without interruption to their service careers. While the authority for interservice transfers is used primarily in the technical fields to permit the fullest possible use of individuals with critical or unusual skills, it is not restricted to technical specialists.

c. Release of a commissioned officer for an interservice transfer under reference (b) does not constitute a release from, or fulfillment of, the Uniformed Service obligation established by reference (a), section 651; however, additional service performed after transfer is counted toward fulfillment of the Uniformed Service obligation.

d. Upon transfer, the officer is credited with the total amount of service accrued as of the date before the transfer.

e. No transfer is made without the request or written consent of the officer concerned.

f. If a commissioned officer transferring between two military services is on a select list for promotion to the next higher grade under reference (a), section 624, the secretary of the military department concerned will integrate the officer into the promotion list of the gaining military service based on

the officer's date of rank in their current grade in the losing military service.

g. Except for commissioned officers in the PHS and officers previously awarded constructive service credit, a commissioned officer on extended active duty will continue to hold the same grade and date of rank held in the losing Uniformed Service.

3. **Basis for Denial.** Interservice transfers are considered on a case-by-case basis and may be denied if the officer:

a. Has not completed all obligated service (OBLISERV) prescribed in the officer program through which accessed and which was incurred by the officer in consideration for being tendered an initial appointment.

b. Has not completed all OBLISERV for funded education programs including:

- (1) Naval Academy;
- (2) Naval Reserve Officer Training Corps (NROTC);
- (3) Armed Forces Health Professions Scholarship (AFHPS);
- (4) Uniformed Services University of Health Sciences (USUHS); and
- (5) Equivalent funded education programs.

c. Has not completed OBLISERV incurred for advanced education or technical training requiring additional OBLISERV including:

- (1) Postgraduate education,
- (2) Service school or college,
- (3) Law school,
- (4) Medical residency,
- (5) Flight training,
- (6) Naval flight officer training, and

(7) Equivalent education programs.

d. Has not completed OBLISERV incurred for:

(1) Transfer to the Regular Navy;

(2) Lateral transfer between competitive categories or designators;

(3) Entering a program; or

(4) Receiving an incentive pay, continuation pay, or bonus.

e. Is serving in a competitive category, designator, or other authorized officer classification in which NAVPERSCOM determines that significant personnel shortages result in compelling necessity for retention.

f. Is serving in designators 2100, 2200, 2300, or 2900 and seeks transfer to the Marine Corps or Coast Guard, since those services do not have an equivalent medical service.

g. Has been officially notified of permanent change of station (PCS) orders (telephone call, telegram, postcard, letter, or receipt of orders), or has executed PCS orders and has not served the required period of time at the new duty station as prescribed in MILPERSMAN 1920-200.

h. Is a Navy Reserve Full Time Support officer (FTS) on active duty who has been issued Release from Active Duty (RAD) orders, unless the interservice transfer request is received by NAVPERSCOM, Officer Favorable Separations Section (PERS-8331) at least 6 months in advance of the scheduled release date.

i. Is a probationary Navy officer on active duty who has attrited from a Navy training program and does not have prior service in the gaining service.

j. Has failed selection for promotion to the next highest grade, for the second time, before submitting a request for transfer to another Uniformed Service.

k. Has been notified of mandatory retirement for any reason.

l. Has applied for transfer to the gaining service within the last year.

m. Is subject to administrative separation processing which has been initiated or the officer has adverse information pending.

4. **Application Process**

a. Regular officers desiring transfer to another Uniformed Service must submit applications in letter form at least 6 months, but not more than 9 months, in advance of the desired detachment month. This lead time is necessary to provide for:

(1) A contact relief;

(2) Minimize gapping of the billet; or

(3) To process requests from the time of receipt until favorable endorsement by Secretary of the Navy (SECNAV); and

(4) Forwarding of the request to the gaining service.

b. Requests will be addressed as follows:

**To** SECNAV.

**Via** the commanding officer (CO) and NAVPERSCOM (PERS-8331).

**Copy to** (not via) each level of the administrative chain of command through the Fleet Commander (PAC or LANT) of the unit to which the officer is assigned.

If the officer is in a drill status, the request must include endorsements from the officer's chain of command.

c. A Reserve officer on inactive duty desiring transfer to another service component must have that gaining service submit DD 368 (Nov. 94), Request for Conditional Release, to NAVPERSCOM (PERS-911).

5. **CO's Responsibility**. The CO must follow the steps listed below:

Step	Action
1	Forward the request within 10 days.
2	Certify that the information provided in the officer's interservice transfer letter is correct.
3	Indicate in the forwarding endorsement whether the transfer would, in CO's opinion, be in the best interest of the national defense.

6. **Request Initiated by the Gaining Service.** Requests may be initiated by the gaining service. These requests should be submitted as follows:

**Through** the secretary of the gaining department and NAVPERSCOM (PERS-8331).  
**To** SECNAV.

The request must be accompanied by consent to the transfer from the naval officer concerned. The request should include sufficient justification to show that the transfer is in the best interest of the national defense and the officer.

7. **Personal Data.** The personal data contained in the requests is used by appropriate authorities to evaluate the proposed transfer. The disclosure of this information is voluntary; however, failure to provide sufficient justification may result in the disapproval of the request or extensive delays in processing.

8. **Active Duty Transfer Request Contents.** Requests should include the following information:

- a. Applicant's last, first, and middle name.
- b. Grade, date of rank, frocked rank.
- c. Branch of service.
- d. Command to which presently assigned.
- e. Total active federal commissioned service.
- f. Summary of any previous interservice transfers.
- g. Age and place of birth.

- h. Citizenship and how acquired.
- i. Summary of military duties performed.
- j. A complete statement of professional or technical qualifications and educational background.
- k. Reason for requesting transfer.
- l. Home address.
- m. Daytime telephone number, DSN and commercial, if available.
- n. Contingent resignation, including the following statement:

"I hereby tender my resignation from the (U.S. Navy, U.S. Navy Reserve) and request that it be accepted contingent upon final approval of my application for transfer to the (specify service) and effective as of the day preceding my acceptance of an appointment in the (specify service)."

- o. Scheduled date of separation from active duty (if any).
9. **Request Enclosure**. Requests must have the following information attached to the application as enclosures:

- a. Current DD 2808 (10-05), Report of Medical Examination; original and one copy. If requesting transfer for aviation programs, include the following information on DD 2808: Block 60-refraction and Block 62-prism diversion, buttock-leg length, and sitting height.
- b. A copy of chest X-ray and Electrocardiography - EKG.
- c. Current DD 2807-1 (3-07), Report of Medical History; original and one copy.

10. **Closeout of Navy Records**

- a. Upon final approval of an interservice transfer from the Navy, the termination of the Navy commission and subsequent reappointment in the gaining Uniformed Service is completed without interruption of the continuity of the officer's total

service. Officers so transferred are credited with the total amount of unused leave and service accrued as of the date before the transfer. The gaining service forwards the applicant's initial appointment and the first duty orders to NAVPERSCOM (PERS-8331). These documents are then forwarded to the officer as enclosures to the NAVPERSCOM orders accepting the officer's resignation from the Navy and are executed the day following separation from the Navy.

b. Navy records are closed out as follows:

(1) **Health and Service Records.** The original health (medical and dental) and original service record are closed and forwarded under letter of transmittal to NAVPERSCOM (PERS-8331). The mailing envelope is marked "DO NOT OPEN IN MAIL ROOM - INTERSERVICE TRANSFER." Copy 7 of the DD 214 (8-09), Certificate of Release or Discharge from Active Duty, is inserted in the health record. A copy of the health record is reproduced and given to the officer for delivery to the gaining service.

(2) **Leave.** Per reference (c), accrued leave is not payable in the case of an officer executing an interservice transfer. The number of days of accrued leave is noted in the remarks section of the DD 214 to assist the gaining service in accurately crediting the officer's leave account.

(3) **Endorsement.** Separation orders are endorsed as required.

(4) **Pay and Allotments.** Pay records and pay allowance entitlements are processed and computed under the instructions contained in pay directives and Navy travel instructions. A possibility exists that an officer's allotment payments may be interrupted during the transfer process. The transferring officer should ensure that direct payments are made for insurance premiums for any period, which may elapse, between the dates Navy allotments are stopped and the date allotments are started by the gaining service.

(5) **Transfer Withdrawal.** If the officer desires to withdraw an interservice transfer before accepting the commission in the gaining service, the CO must inform NAVPERSCOM (PERS-8331) by e-mail upon receipt of the withdrawal request and forward the written request with endorsement within 10 days.



The gaining service is notified by NAVPERSCOM (PERS-8331). Once the request to withdraw the original request is received, NAVPERSCOM (PERS-8331) will return the original request package to the officer.

(6) **Reserve officers.** For Reserve officers not on active duty, NAVPERSCOM (PERS-911) will complete the discharge upon receipt of a copy of the member's gaining service oath of office. The order-issuing authority will cancel any reserve orders in effect on the date of discharge and forward medical records to the Department of Veterans' Affairs (VA) per MILPERSMAN 6150-010.

11. **Rank and Status.** The following conditions apply to officers who have transferred out of the Navy:

a. A Regular Navy officer transferred out of the Navy under this article, except for physician, dentist, nurse, or medical service corps officer, continues to hold the same rank and date of rank as that held in the Navy the day before the transfer. The officer is placed on the active duty list of the gaining Uniformed Service under regulations of the gaining Uniformed Service.

b. A Reserve Navy officer on active duty (FTS) or inactive duty, except for a physician, dentist, nurse, or medical service corps officer, transferred out of the Navy under this article is awarded a permanent Reserve grade and the date of rank as determined by applying the amount of service accrued in the Navy to the appointment laws then in effect for the gaining Uniformed Service. The officer is placed on the active duty list following regulations of the gaining service.

c. In the case of a physician, dentist, nurse, or medical service corps officer, federal service already served will be considered in the constructive service credit, as if the time was served in the gaining service, per the law governing promotion, seniority, and retirement in that service.

d. A commissioned officer awarded constructive service credit, who does not transfer to the same or a comparable professional category, loses any constructive service credit granted per reference (d). The officer must be renominated by the President and confirmed by the Senate in an appropriate grade commensurate with total active commissioned service.

No commissioned officer is transferred from one Uniformed Service and appointed to another, with a precedence or relative rank higher than held on the day before such transfer per (reference (a), section 716).