



**DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY RESERVE COMMAND
1401 DESHLER STREET SW
FORT MCPHERSON, GA 30330-2000**

REPLY TO
ATTENTION OF:

10 DEC 2004

AFRC-PRP-O (135)

MEMORANDUM FOR Deputy Chief of Staff, G-1

SUBJECT: Processing of Unqualified Resignation Requests of Non-Obligated Officers

1. The term of appointment for Army Reserve officers is governed by law and regulation. Title 10, US Code, section 12203, provides that "appointments of Reserves in commissioned grades are for an indefinite term and are held during the pleasure of the President." Section 12681 of Title 10 also states that "reserve commissioned officers may be discharged at the pleasure of the President." One means of discharge includes acceptance of unqualified resignation requests under the provisions of Army Regulation (AR) 135-175. Paragraph 6-10b of the regulation provides that "resignations submitted by non-obligated officers may be accepted" except under listed circumstances. This discretionary authority to approve or disapprove the unqualified resignation requests of non-obligated officers is vested in the Commanding General (CG), US Army Reserve Command (USARC), under AR 135-175, paragraph 6-9b(1).
2. I hereby delegate the authority to approve or disapprove the unqualified resignation requests of non-obligated officers to the Deputy Chief of Staff (DCS), G-1. This authority may be further delegated in writing by the DCS, G-1, to the Chief, Military Personnel Management Division.
3. The DCS, G-1, received a total of 432 requests for resignation during 2004, 256 of which were approved and 176 were disapproved. The resignation requests were considered primarily in light of the needs of the Army. Personnel shortages in particular grades and specialties caused by the high operations tempo of Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom typically led to disapproval of resignation requests. I hereby ratify all decisions made by the DCS, G-1, prior to the date of this memorandum regarding unqualified resignation requests.
4. Under the above-referenced delegation of authority, DCS, G-1, will approve requests for unqualified resignation by non-obligated officers who are not subject to Reserve Component Stop Loss if one or more of the following criteria are met:
 - a. The officer previously completed a term of mobilized service in support of Operations Noble Eagle, Enduring Freedom, or Iraqi Freedom.
 - b. The officer provides convincing evidence of compelling personal reasons for separation. Documentation must include statements of counseling from Army medical or chaplain personnel.

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c. **The officer is assigned to a rank and specialty with current personnel strength above 50% of authorized manning.**

5. **Compelling personal reasons for separation may exist under the following circumstances:**

a. **Death or disability of an officer's family member which results in other family members becoming principally dependent upon him or her for care or support to the extent that continued service would result in undue and genuine hardship.**

b. **Other circumstances not involving the death or disability of a family member (as noted in paragraph 5a above) in which the separation of the officer will materially affect the care or support of his or her family by alleviating undue and genuine hardship.**


6. **In order for an unqualified resignation request to be favorably considered on the basis of compelling personal reasons, the officer must clearly establish that:**

a. **The hardship is permanent, did not exist prior to entry into the Army Reserve, and can only be eliminated or materially alleviated by the officer's separation; or**

b. **If the hardship existed prior to entry into the Army Reserve, the hardship is permanent, has significantly worsened since entry into the Army Reserve in spite of the officer's reasonable efforts to remedy the situation, and can only be eliminated or materially alleviated by the officer's separation.**

7. **Officers whose resignation request is based on their own medical condition will be referred to a medical evaluation board to determine medical fitness.**

8. **Unqualified resignation requests from officers subject to Reserve Component Stop Loss will be returned to the officers without action with an explanation that Reserve Component Stop Loss policy extends service through the period of mobilization plus 90 days. Officers should also be advised that they may submit a resignation request after the Stop Loss stabilization period has expired.**


JAMES R. HELMLY, 12/10
Lieutenant General, USA
Commanding

04 MAY 2005

MEMORANDUM FOR Army Reserve G-1

SUBJECT: Processing of Unqualified Resignation Requests of Nonobligated Officers

1. Reference memorandum, US Army Reserve Command, AFRC-PRP-O, 10 Dec 04, subject: Processing of Unqualified Resignation Requests of Nonobligated Officers.
2. I hereby delegate the authority to approve or disapprove the unqualified resignation requests of nonobligated officers to the Army Reserve (AR) G-1. This authority may be further delegated in writing by the AR G-1, to the Chief, Military Personnel Management Division.
3. Under the above referenced delegation of authority, AR G-1 will approve requests for unqualified resignation by nonobligated officers who are not subject to Reserve Component Stop Loss if one or more of the following criteria are met:
 - a. The officer is assigned to a specialty with current personnel strength at or above 80% (P2 personnel readiness level, AR 220-1, Unit Status Reporting) of authorized manning.
 - b. The officer previously completed a term of mobilized service in support of Operations Noble Eagle, Enduring Freedom, or Iraqi Freedom.
 - c. The officer provides convincing evidence of compelling personal reasons for separation. Documentation must include statements of counseling from Army medical or chaplain personnel.
4. Compelling personal reasons for separation may exist under the following circumstances:
 - a. Death or disability of an officer's family member which results in other family members becoming principally dependent upon him or her for care or support to the extent that continued service would result in undue and genuine hardship.
 - b. Other circumstances not involving the death or disability of a family member (as noted in paragraph 4a above) in which the separation of the officer will materially affect the care or support of his or her family by alleviating undue and genuine hardship.

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5. In order for an unqualified resignation request to be favorably considered on the basis of compelling personal reasons, the officer must clearly establish that:


a. The hardship is permanent, did not exist prior to entry into the Army Reserve, and can only be eliminated or materially alleviated by the officer's separation; or

b. If the hardship existed prior to entry into the Army Reserve, the hardship is permanent, has significantly worsened since entry into the Army Reserve in spite of the officer's reasonable efforts to remedy the situation, and can only be eliminated or materially alleviated by the officer's separation.

6. Officers whose resignation requests are based on their own medical condition will be referred to a medical evaluation board to determine medical fitness.

7. Unqualified resignation requests from officers subject to Reserve Component Stop Loss will be returned to the officers without action with an explanation that Reserve Component Stop Loss policy extends service through the period of mobilization plus 90 days. Officers should also be advised that they may submit a resignation request after the Stop Loss stabilization period has expired.

8. The memorandum referenced in paragraph 1 above is rescinded effective immediately.


JAMES R. HELMLY
Lieutenant General, USA
Commanding
US Army Reserve Command