



**SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000**

November 8, 2019
Incorporating Change 1, October 19, 2020

MEMORANDUM FOR CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF
DEFENSE

SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEF OF THE NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF COST ASSESSMENT AND PROGRAM
EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF
DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
DIRECTOR OF NET ASSESSMENT
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Directive-type Memorandum (DTM)-19-011 – Military Service Academy
Graduates Seeking to Participate in Professional Sports

References: See Attachment 1.

Purpose. This DTM:

- Updates policy for Military Service Academy graduates seeking to participate in professional sports, assigns responsibilities, and prescribes procedures regarding delayed tender of an appointment as a commissioned officer for the purposes of employment as a professional sports athlete.
- Supersedes inconsistent guidance in DoD Instruction (DoDI) 1322.22, which will be updated to comply with this DTM and its implementing guidance. To the extent DoD issuances are inconsistent with this DTM, this DTM will take precedence.

- Is effective November 8, 2019; it must be incorporated into DoDI 1322.22. This DTM will expire effective November 8, 2021.

Applicability. This DTM applies to:

- OSD, the Military Departments, 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 DoD.

Definitions. See Glossary.

Policy. In accordance with the June 26, 2019 Presidential Memorandum, it is DoD policy that:

- Graduates of the Military Service Academies may be permitted by the Secretary of Defense to pursue employment as a professional sports athlete following graduation.
- Exceptionally talented athletes who have graduated from a Military Service Academy, but have not been appointed as a commissioned officer, may be offered the opportunity to be employed as a professional sports athlete while serving as an enlisted member in the Individual Ready Reserve until such a time as the Secretary of Defense tenders their appointment as a commissioned officer in a Military Service, with a military service obligation in accordance with Sections 7448, 8459, and 9448 of Title 10, United States Code (U.S.C.), and the policies set forth in DoDIs 1304.25 and 1322.22.
- Commissioned officers may request release from active duty in order to pursue professional athletic opportunities. Such requests may be granted by the Secretary of the Military Department concerned, subject to the officer's agreement to complete his or her service obligation under terms prescribed by the Secretary of the Military Department concerned and consistent with law.
- Any graduate who is employed as a professional sports athlete pursuant to this policy and who, upon being tendered an appointment as a commissioned officer, subsequently fails to meet medical accession standards for commissioning, shall be encouraged to serve in an equivalent civilian position within the Department of Defense for a period of no less than five years, consistent with the active duty service obligation originally accepted. Such graduates who do not subsequently serve as a civilian employee within the Department of Defense for a period of no less than five years will be subject to recoupment of the expense associated with their attendance at a Military Service Academy in accordance with sections 7448, 8459, or 9448 of Title 10, U.S.C., and Section 303a of Title 37, U.S.C.

- Military Service Academy graduates whose date of commissioning is before the effective date of this DTM are not covered under this policy.

Responsibilities. See Attachment 2.

Procedures. See Attachment 3.

Summary of Change 1: The changes to this DTM are administrative and update the expiration date.

Releasability. Cleared for public release. Available on the Directives Division Website at <http://www.esd.whs.mil/DD/>.

A handwritten signature in black ink, appearing to read "Mark Egan". The signature is written in a cursive, slightly slanted style.

Attachments:
As stated

ATTACHMENT 1

REFERENCES

DoD Instruction 1215.06, “Uniform Reserve, Training, and Retirement Categories for the Reserve Components,” March 11, 2014, as amended
DoD Instruction 1215.13 “Ready Reserve Member Participation Policy,” May 5, 2015
DoD Instruction 1235.13, “Administration and Management of the Individual Ready Reserve (IRR) and the Inactive National Guard (ING),” October 18, 2013
DoD Instruction 1304.25, “Fulfilling the Military Service Obligation (MSO),” October 31, 2013
DoD Instruction 1310.02, “Original Appointment of Officers,” March 26, 2015
DoD Instruction 1322.22, “Service Academies,” September 24, 2015
DoD Instruction 6130.03, “Medical Standards for Appointment, Enlistment, or Induction in the Military Services,” May 6, 2018
Presidential Memorandum, “Policy for Military Service Academy and Reserve Officers’ Training Corps Graduates Seeking to Participate in Professional Sports,” June 26, 2019
United States Code, Title 10
United States Code, Title 37, Section 303a

ATTACHMENT 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) provides DoD oversight and management of the Military Service Academies and original appointments and may grant, as appropriate, exceptions to the policies in this DTM.

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):
 - a. Drafts revisions to the issuances identified in this DTM and, as necessary and appropriate, drafts new issuances consistent with the policies and procedures in this DTM.
 - b. Conducts an annual review of Service members whose tender of appointment as a commissioned officer has been delayed pursuant to the provisions of this DTM.

3. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:
 - a. Establish policies and procedures, as necessary and appropriate, consistent with this DTM.
 - b. Provide input and recommendations to the USD(P&R), as appropriate, regarding Service members affected by this DTM and related issuances.

ATTACHMENT 3

PROCEDURES

1. GENERAL.

a. When the Secretary of the Military Department concerned determines there is a strong expectation that a Military Service Academy cadet or midshipman's future professional sports employment will provide the DoD with significant favorable media exposure likely to enhance national level recruiting or public affairs missions, the Secretary of the Military Department concerned may nominate this cadet or midshipmen to the Secretary of Defense requesting a delay in the tendering of an appointment as a commissioned officer to facilitate employment as a professional sports athlete.

b. The Secretaries of the Military Departments may submit nominations for exceptionally talented Military Service Academy cadet or midshipman athletes to the Office of the USD(P&R) for consideration of a delay in tendering an appointment as a commissioned officer in accordance with this DTM. This authority may not be further delegated. Nominations should be submitted at least 120 days before the approved date of graduation from the Military Service Academy concerned.

c. The Secretary of Defense is the approval authority for nominations made in accordance with this DTM.

2. NOMINATION. Recommendation packages will include the following:

a. An endorsement by the Secretary of the Military Department concerned attesting to the strong expectation that the future professional sports employment of the cadet or midshipman concerned will provide DoD with significant favorable media exposure likely to enhance national level recruiting or public affairs missions.

b. A detailed description of the most-current offer of employment by a professional sports team and the current status of such an offer, where possible.

c. A signed statement of understanding, as shown in the Figure, indicating the willingness of the cadet or midshipman concerned to accept and agree to abide by the conditions and requirements prescribed in this DTM.

d. Verification of the cadet or midshipman's medical qualification for accession as an enlisted member in the Reserve Component of the Military Service concerned, in accordance with DoDI 6130.03.

e. A detailed communication and marketing plan that will remain in effect for the duration of the cadet or midshipman's employment as a professional sports athlete.

f. Other documentation as requested or relevant.

Figure. Universal Statement of Understanding

I understand that pursuant to DTM DRAFT-155:

Initials

_____ (a) The tender to me of an appointment as a commissioned officer in the (Military Service) will be delayed to facilitate my employment as a professional sports athlete.

_____ (b) I agree to accept, upon tendering, appointment as a regular commissioned officer in the (Military Service), in accordance with Section 7448, 8459, or 9448 of Title 10, United States Code, as applicable, and understand that I will have an active duty service obligation of at least 5 years (or more, depending on career specialty) from the date of my appointment as a commissioned officer.

_____ (c) Upon graduation from the (Military Service Academy), I will enlist in the Individual Ready Reserve (IRR) of the (Military Service) Reserve by signing a DD Form 4, "Enlistment/Reenlistment Document Armed Forces of the United States," for a period of 8 years at a grade no higher than E-4 with Reserve Component category and training in accordance with DoD Instruction (DoDI) 1215.06. If after 8 years I remain employed as a professional sports athlete and have not been tendered an appointment as a commissioned officer, I agree to a reenlist for another period of 8 years in the IRR.

_____ (d) I will adhere to the standards of conduct required of Service members serving in the IRR of the of the (Military Service) Reserve and will satisfactorily complete all requirements associated with service in the IRR, including those identified in DoDI 1235.13, and any other applicable issuance in effect now or in the future.

_____ (e) In accordance with DoDI 1215.13, I will inform the Military Department concerned within 30 (thirty) days of any physical condition or other factors that would prevent me from meeting the physical or mental standards prescribed to members of the armed forces, or would prevent my immediate availability for active military service. I will further inform the Military Department concerned within 30 (thirty) days of any injuries or other medical conditions that may negatively impact satisfactorily meeting medical accession standards for commissioning in accordance with DoDI 6130.03.

_____ (f) I will ensure that any contracts or agreements entered into with professional sports teams contain provisions for release due to involuntary recall to active duty military service.

_____ (g) I will ensure that I receive media and social media training from the public affairs office concerned. Additionally, as part of this agreement, I will promote the Department of Defense and its programs, as well as my Military Service and Military Service Academy, in accordance with the communication and marketing plan submitted with my application and updated during the annual review, if applicable.

_____ (h) Through the execution of the communications and marketing plan, I may earn points for retirement and promotion without pay in accordance with DoD Instruction 1215.06.

FULL NAME / GRADE OF AUTHORIZED MILITARY SERVICE OFFICIAL
DUTY TITLE

Figure. Universal Statement of Understanding, Continued

_____ (i) I will be subject to an annual review to determine whether my Military Service will continue my deferred appointment status. As part of that annual review, I must:

_____ (1) Provide details of my current contract for employment with a professional sports team; and,

_____ (2) Review and sign an update to this statement of understanding and DD Form 4, as necessary.

_____ (j) If the annual review determines that continuation of my deferred appointment status is no longer in the best interest of the Department of Defense, and at its discretion, I may be tendered an appointment as a regular commissioned officer in the__(Military Service)_____.

_____ (k) In accordance with the agreement I signed as a cadet or midshipman (such agreement is incorporated by reference in this agreement), if I fail to abide by the provisions of this agreement, I may be ordered to active duty or required to reimburse the United States for the cost of education commensurate with the time spent at the academy.

_____ (l) If an injury or other medical condition precludes qualification for active duty service I will be subject to recoupment and monetary repayment of educational benefits to the United States for the cost of education commensurate with time spent at the Military Service Academy. I further understand in such circumstances that I am expected to pursue equivalent service as a DoD civilian employee for a period of no less than 5 years, consistent with the active duty service obligation originally accepted, and that through such service may petition to the Secretary of the Military Department concerned for relief from recoupment.

_____ (m) At any time, I may submit a request to the Secretary of Defense through the Secretary of the Military Department concerned for consideration of tendering of appointment as commissioned officer.

(Sign your full name as it appears below)
INSERT FULL NAME HERE

Sworn and subscribed before me at (Insert location here), this _____ day of _____, two thousand and _____.

FULL NAME / GRADE OF AUTHORIZED MILITARY SERVICE OFFICIAL
DUTY TITLE

3. GRADUATION.

a. Cadets and midshipmen covered by this DTM will be awarded a bachelor of science degree provided all requirements prescribed by the Secretary of the Military Department concerned have been met.

b. Directly upon graduation, such cadets and midshipmen will be enlisted in the Reserve Component of the Military Service into which they would have been commissioned had an appointment been immediately tendered.

4. ENLISTMENT.

a. Cadets and midshipmen whose tender of appointment is delayed under the provisions of this DTM will enlist in the designated Military Department's Individual Ready Reserve.

b. Cadets and midshipmen who enlist in the Reserve Component pursuant to the provisions of this DTM will:

(1) Sign a DD Form 4, "Enlistment/Reenlistment Document Armed Forces of the United States," for a period of 8 years beginning in a pay grade not to exceed E-4, with Reserve Component category and training and requirement category designator of "RE" in accordance with DoDI 1215.06.

(2) Accept, when tendered, an appointment as a commissioned officer in the military service concerned, in accordance with Sections 7448, 8459, or 9448 of Title 10, U.S.C., as applicable.

(3) Ensure any contracts or agreements entered into with professional sports teams contain provisions for release due to involuntary recall to active duty military service.

(4) Adhere to the standards of conduct required of Service members serving in the IRR of the of the Military Service concerned, and satisfactorily complete all requirements associated with service in the IRR, including those identified in DoDI 1235.13, and any other applicable issuance.

(5) In accordance with DoDI 1215.13, inform the Military Department concerned within 30 (thirty) days of any physical condition or other factors that would prevent the cadet or midshipman from meeting the physical or mental standards prescribed to members of the armed forces, or would prevent his or her immediate availability for active military service. Further, the cadet or midshipman concerned will inform the Military Department concerned within 30 (thirty) days of any injuries or other medical conditions that may negatively impact satisfactorily meeting medical accession standards for commissioning in accordance with DoDI 6130.03.

c. Cadets and midshipmen whose appointment as a commissioned officer is delayed pursuant to the provisions of this DTM may, at any time, submit a request to the

Secretary of Defense through the Secretary of the Military Department concerned for consideration of tendering of such appointment.

5. PROCESS FOR CONTINUATION OR REMOVAL.

a. Annual Review for Continuation.

(1) All Service members who enlist pursuant to the provisions of this DTM will be subject to an annual review to determine whether continuation of their deferred appointment status is in the best interest of the Department of Defense at its sole and unreviewable discretion.

(2) ASD(M&RA) will conduct the annual review and will require the submission of substantiating documentation from the Secretary of the Military Department concerned, including:

(a) A memorandum from the Secretary of the Military Department concerned recommending whether to continue the delay of the Service member's appointment.

(b) A description of the details and status of the most-current contract of employment by professional sports team.

(c) Evidence of the Service member's continued willingness to accept the terms and conditions outlined in this DTM and the statement of understanding previously signed by the Service member.

(d) A media analysis of Service member's media exposure and adherence to established communications and marketing plan.

(e) A report on any volunteer drill periods performed by Service member.

(f) Documentation pertaining to any injury or other medical condition incurred by the Service member that may potentially not meet the medical standards for appointment as a commissioned officer in accordance with DoDI 6130.03.

(g) Other documentation as requested or relevant.

(3) The ASD(M&RA) will provide a recommendation to the Secretary of Defense for consideration of continuation of delayed tender of appointment based on the annual review.

(4) Continuation of delayed tender of appointment as a commissioned officer is contingent on a military service obligation active through the next annual review, at a minimum, as documented on the DD Form 4, "Enlistment/Reenlistment Document Armed Forces of the United States."

(5) Should the annual review find that it is no longer in the best interest of DoD, at its sole and unreviewable discretion, to continue to delay the tender of an appointment as a

commissioned officer for the Service member concerned, a recommendation will be made to the Secretary of Defense on whether to tender such an appointment in accordance with Sections 7448, 8459, or 9448 of Title 10, U.S.C., as appropriate.

b. Breach of Agreement.

(1) Service members who fail to abide by the conditions prescribed by this DTM, and in the agreement they entered into with their respective Military Service, may be ordered by the Secretary of the Military Department concerned to active duty in accordance with Sections 7448, 8459, or 9448 of Title 10, U.S.C., as appropriate, and Military Department regulations.

(2) The disposition of Service members not ordered to active duty by the Secretary of the Military Department concerned due to misconduct or unsuitability, or if the Service member petitions for relief from an active duty obligation, will be determined by the Secretary of Defense. Service members will be subject to recoupment and monetary repayment of educational benefits to the United States in accordance with the Sections 7448, 8459, or 9448 of Title 10, U.S.C., and Section 303a of Title 37, U.S.C., for the cost of education commensurate with time spent at the Service Academy.

6. TENDER OF APPOINTMENT AND COMMISSION.

a. The Secretary of the Military Department concerned will submit the Service member for approval of appointment as a regular commissioned officer, in accordance with Section 531 of Title 10, U.S.C., and DoDI 1310.02, at least 30 (thirty) days before the anticipated date for tendering the appointment and commissioning the officer.

b. Service members must meet medical accession standards for appointment as a commissioned officer in accordance with DoDI 6130.03, or be granted waivers of these standards in accordance with current policies of the Military Department concerned. Those persons who received a delay in the tendering of an appointment in accordance with this DTM who are subsequently found not medically cleared for commissioning will be encouraged to complete their 5-year service obligation in an equivalent civilian position of the Department of Defense. If such persons do not subsequently serve as a civilian employee within the Department of Defense for a period of no less than five years, they will be subject to recoupment of the expense associated with their attendance at a Military Service Academy.

c. Specific details pertaining to a Service member's commissioning (e.g., operational specialty, initial training, and initial duty assignment) upon receipt of approval of the appointment in accordance with Section 531 of Title 10, U.S.C., and DoDI 1310.02, will be determined by the Secretary of the Military Department concerned.

d. The Service member will enter active duty within 180 (one hundred-eighty) days of the approval of the appointment. Exceptions to this policy must be approved by the USD(P&R).

e. Officers appointed pursuant to the provisions in this DTM will serve on active duty for at least 5 years immediately after appointment, in accordance with Sections 7448, 8459, and 9448, as appropriate, of Title 10, U.S.C.

GLOSSARY

PART I. ABBREVIATIONS AND ANCRONYMS

ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
DD	Department of Defense (form)
DoDI	DoD instruction
DTM	Directive-type memorandum
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this issuance.

accession. An enlistment that increases the incremental strength of the Regular or Reserve Components of the Military Services.

agreement. Defined in DoDI 1322.22.

cadets and midshipmen. Defined in DoDI 1322.22.

cost of education. Defined in DoDI 1322.22.

enlisted member. A Service member serving in an enlisted grade of E-1 through E-9.

Individual Ready Reserve. Defined in DoDI 1215.06.

initial skills training. The training a Service member receives for initial qualification of a military specialty.

military service obligation. A commitment of military service for a specified period of time.

officer. An officer, W-1 through O-10, in any of the Military Services in the DoD who holds a grade as an officer by warrant or commission, and who is appointed as a Regular or Reserve officer.

Military Service Academies. Refers to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy.

Service member. An enlisted member, warrant officer, or commissioned officer of a Military Service.

tender. To formally present the appointment to the individual, enlisted member, or officer in or to the grade indicated on the scroll.