

REFERENCE

1304.25



Cancelled
by 17 Mar 1986

Department of Defense
DIRECTIVE

November 6, 1984
NUMBER 1304.25

ASD(RA)

SUBJECT: Fulfilling the Military Service Obligation

- References:
- (a) ~~DoD Directive 1200.3, subject as above, August 21, 1968 (as amended) (hereby canceled)~~
 - (b) Assistant Secretary of Defense (Manpower, Installations, and Logistics) Memorandum, "Implementation of the 8-year Military Service Obligation (MSO)," February 21, 1984 (hereby canceled)
 - (c) Title 10, United States Code
 - (d) DoD Directive 1200.15, "Assignment to and Transfer Between Reserve Categories, Discharge from Reserve Status, Transfer to the Retired Reserve and Notification of Eligibility for Retired Pay," February 16, 1973
 - (e) DoD Directive 1215.5, "Participation in Reserve Training Programs," May 25, 1979
 - (f) through (m), see enclosure 1

A. PURPOSE

This Directive replaces references (a) and (b), and implements sections 269, 511, and 651 of reference (c) by prescribing policy, procedures, and responsibilities with respect to fulfillment of the statutory military service obligation (MSO).

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments (including their National Guard and reserve components), the Organization of the Joint Chiefs of Staff, and the Defense Agencies (hereafter referred to collectively as "DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

C. DEFINITIONS

1. Discharge. Complete severance from all military status gained by an enlistment, appointment, or induction.

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2. Enlistment and Appointment. The voluntary initial entry of a person into any of the Military Services.

3. Induction. When authorized by law, the involuntary (or voluntary) assignment of eligible citizens to a Military Service.

4. Military Service Obligation. The total required service that each person who becomes a member of an armed force shall serve in an armed force unless discharged under regulations prescribed by the Secretary of Defense and the Secretary of the Military Department concerned.

5. Separation. A general term that includes discharge, release from active duty, release from custody and control of the Military Services, transfer to the Individual Ready Reserve (IRR), and similar changes in active or reserve status.

D. POLICY

It is DoD policy that every person, upon initial entry into a Military Service, shall serve a total of 8 years, to be fulfilled in accordance with this Directive. Except as noted in paragraph E.6.a.(4) and (5), the military service obligation is established as 8 years.

E. PROCEDURES

1. The MSO

a. Any person whose initial entry into a Military Service is on or after June 1, 1984, shall serve a period of 8 years from the date of enlistment, appointment, or, when authorized by law, induction. The accomplishment of the obligated period of service shall be determined in regulations established by the Secretary of the Military Department concerned.

b. Any portion of the MSO that is not active duty or active duty for training shall be performed in a reserve component as defined in 10 U.S.C. 261 and 268 (reference (c)); any combination of active duty or Ready Reserve service as prescribed in applicable DoD and Military Department regulations may be used to fulfill the MSO.

c. The fulfillment of the MSO shall be accomplished without interrupting the continuity of the member's total military service, except as noted in subsection E.5., below.

2. Discharge or Separation

a. The MSO is considered terminated when a member is discharged, except as indicated in paragraph E.2.b., below.

b. The MSO is not terminated upon discharge or other type of separation for the purpose of immediate entry or reentry in the same or any other component of the Military Services, or for the purpose of entry into an officer's training program in which the person remains a member of a Military Service. Service

performed before and after such a discharge or other type of separation shall be counted toward fulfillment of such obligation.

3. Discharge Prior to Completion of MSO. Generally, discharge of a member prior to fulfilling a MSO shall be permitted only when the Military Department concerned has determined that the member has no potential for service under conditions of full mobilization, except as noted in subsections E.4., E.5., and E.9., below.

a. Obligated Enlisted Service Members. Policy for the early discharge of enlisted service members is contained in DoD Directives 1200.15, 1215.5, 1215.13, and 1332.14 (references (d), (e), (f), and (g)).

b. Obligated Officers. Policy for the early discharge of officers is contained in references (d), (e), and (f).

4. Delayed Entry. Delayed entry is the military status gained by an enlistment in which a service member's entry on active duty or initial active duty for training (IADT) is postponed in accordance with regulations prescribed by the Secretary of the Military Department concerned. Members in a delayed entry status incur a MSO.

a. Active Component Delayed Enlistment Program (DEP). Persons who enlist in the Ready Reserve under 10 U.S.C. 511 (reference (c)) for the express purpose of agreeing to a subsequent enlistment in a regular component of the Military Services are in the DEP. DEP members who fail to enlist in a regular component of the armed forces may be ordered to involuntary IADT and to complete the remainder of the MSO in a reserve component.

b. Reserve Component Delayed Entry into Training (DET). Persons who enlist in the Ready Reserve under 10 U.S.C. 511(d) (reference (c)) for service in a reserve component and whose IADT is postponed are in the DET. DET members who fail to report for IADT may be ordered to involuntary IADT and complete the remainder of the MSO in a reserve component.

c. Discharge from DEP/DET. DEP/DET members may also be discharged for any of the reasons specified in DoDD 1332.14 (reference (g)). Individuals discharged from the DEP/DET will not be credited for service in fulfillment of the MSO incurred, and any future enlistment or appointment of such persons shall be treated as an original entry into military service.

5. Underage Entry. A service member whose enlistment or appointment is declared void because the service member is underage and who is released as the result of such action may not be considered to have acquired a MSO; however, service rendered under a void underage enlistment, when characterized as honorable by the Secretary of the Military Department concerned, shall be creditable toward fulfilling any subsequent MSO acquired by the service member. Such credit would not alter the terms of any subsequent enlistment for specific periods of active component or reserve component service. Paragraph 4c applies if service described in this paragraph was performed only in a delayed entry status. Procedures for underage enlistments are established in DoDD 1332.14, reference (g).

6. Service Academy and Reserve Officers' Training Corps (ROTC) Appointments

a. Credit for Enlisted Service. An enlisted service member who accepts appointment to a service academy as a cadet or midshipman under 10 U.S.C. Chapter 403, 603, or 903 (reference (c)), or as an ROTC cadet or midshipman under section 2014 or 2107 (reference (c)), may not be separated from enlisted status by reason of such appointment.

(1) Termination. If an appointment is terminated before graduation or if a cadet or midshipman refuses to accept a commission, if offered, following graduation, the period of concurrent enlisted service shall be counted toward fulfillment of the MSO, resulting from the enlistment being served at the time of the appointment.

(2) Order to Active Duty Following Termination. Credit described in subparagraph E.6.a.(1) above, does not alter the authority for ordering disenrolled cadets or midshipmen to active duty as provided in DoD Directives 1332.23, 1215.8, and 1235.10 (references (h), (i) and (j)).

(3) ROTC Advanced Training. Enlisted service for the period covered by ROTC advanced training may not be counted toward fulfillment of the MSO under 10 U.S.C. 2106 (reference (c)).

(4) ROTC Scholarship Recipients. An officer appointed under 10 U.S.C. section 2107 (reference (c)) may not be credited with service as a cadet or midshipman or with concurrent enlisted service. The MSO resulting from commissioning under this program shall be 6 years and the officer shall agree in writing to serve two additional years under regulations prescribed by the Secretary of the Military Department concerned for a total obligation of 8 years.

(5) Service Academy Appointment. An officer appointed under 10 U.S.C. Chapter 403, 603, or 903 (reference (c)) shall incur an MSO of 6 years and agree in writing to serve two additional years under regulations prescribed by the Secretary of the Military Department concerned for a total obligation of 8 years.

b. Credit for Direct Appointments As a Cadet or Midshipman

(1) Commissioned Officers. Enlisted service performed concurrently while serving as a cadet or midshipman does not count towards fulfillment of the MSO incurred as a result of commissioning.

(2) Service Academy Termination. A service academy cadet or midshipman who initially received a direct appointment and whose appointment is terminated before graduation, or who does not accept a commission following graduation, shall be processed as required by the provisions of reference (g).

7. Unsatisfactory Participation in the Ready Reserve. A person who incurs a MSO and who subsequently fails to perform satisfactorily any required reserve training may not be discharged, except under subsection E.3., above.

8. Interservice and Intercomponent Transfers. Transfer of service members who have a remaining MSO between Military Services or components of a Military Service shall be accomplished under DoD Directives 1205.5 or 1300.4 (references (j) and (k)). Obligated military service performed before and after an authorized transfer shall be counted toward fulfillment of the MSO.

9. Members of the Clergy. Upon written application, a service member may be discharged from a reserve component of a Military Service if the service member has become a member of the clergy and satisfactorily establishes that:

- a. the ministry is his or her main and primary vocation;
- b. his or her religious faith group is organized exclusively or substantially for religious purposes;
- c. his or her standing in the faith group is recognized as that of a minister or leader; and
- d. he or she is certified by an appropriate official of the faith group to be a fully qualified member of the clergy, in good standing.

10. Induction. In time of war or national emergency or when otherwise authorized by law, a person who is inducted under section 6(c)(2)(D) of Pub. L. 90-40 (reference (m)) and who completes the required period of active training and service shall continue to hold his appointment or enlistment contract to serve as a reservist and shall be required to fulfill the terms of the obligation, unless discharged by the Secretary of the Military Department concerned.

F. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Reserve Affairs), in coordination with the Assistant Secretary of Defense (Manpower, Installations, and Logistics), shall establish policy for the fulfillment of the MSO.

2. The Secretaries of the Military Departments shall ensure that plans for the administration of the MSO are consistent with this Directive.

3. The Heads of the Military Services shall:

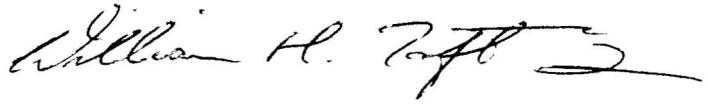
a. Establish procedures for the administration of the MSO in conformance with this Directive.

b. Maintain adequate and current information on members of the Ready Reserve who have a remaining obligation, including accurate mailing addresses, military qualifications, physical qualification and such other information as the Secretary of the Military Department concerned may prescribe in accordance with 10 U.S.C. 275 (reference (c)).

c. Determine appropriate refresher training requirements for service members transferred to the IRR with a remaining MOS.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective June 1, 1984. Forward two copies of implementing documents to the Assistant Secretary of Defense (Reserve Affairs) within 120 days.

A handwritten signature in black ink, reading "William H. Taft, IV". The signature is written in a cursive style with a long, sweeping underline.

William H. Taft, IV
Deputy Secretary of Defense

Enclosure - 1
References

References, Continued

- (f) DoD Directive 1215.13, "Unsatisfactory Performance of Ready Reserve Obligation," June 30, 1979
- (g) DoD Directive 1332.14, "Enlisted Administrative Separations," January 28, 1982
- (h) DoD Directive 1332.23, "Service Academy Separations," May 9, 1968
- (i) DoD Directive 1215.8, "Senior Reserve Officers' Training Corps Programs," February 8, 1982
- (j) DoD Directive 1235.10, "Mobilization of the Ready Reserve," October 27, 1970
- (k) DoD Directive 1205.5, "Transfer of Members Between Reserve Components of the Military Services," May 16, 1980
- (l) DoD Directive 1300.4, "Inter-Service Transfer of Commissioned Officers," April 2, 1984
- (m) Title 50, United States Code, Appendix, Section 451 et seq.
(Public Law 90-40, "Military Selective Service Act of 1967").