

MILPERSMAN 1133-010

FIRST ENLISTMENTS AND THE MILITARY SERVICE OBLIGATION

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Governing Directives	10 U.S.C. 403, 603, 651, 903, 2104, 2105, 2107, 4348, 6959, 9348, 10101, 10142, 10143, 10145, 10146, 10204, and 12103 DOD Directive 1332.23 SECNAVINST 1920.6B SECNAVINST 1000.7D
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1. Authority

a. Chief of Naval Personnel (CHNAVPERS) issues instructions to the Navy Recruiting Command and to the Naval Reserve Force that set forth the terms of enlistment in the Regular Navy and Naval Reserve for which applicants are to be accepted, the rates and ratings in which first enlistments may be made, and other specific qualifications applicable to first enlistments.

b. Commanding Officer, Naval Reserve Personnel Center, shall maintain adequate and current information on members of the Individual Ready Reserve who have a remaining obligation, including accurate mailing addresses, military qualifications, physical qualifications, and such other information as deemed appropriate under the regulations of 10 U.S.C. 10204.

2. Enlistment Location

a. Unless modified by other instructions for CHNAVPERS, first enlistments in the Regular Navy or Naval Reserve are authorized to be made only by Navy Recruiting Command or Naval Reserve Force.

b. Reserve personnel enlisting in the Regular Navy while on active duty may be enlisted at their present duty station.

c. Commands and activities involved in accession of individuals into the Navy shall make sure the individual understands the Military Service Obligation (MSO).

3. Age Requirements

a. The minimum age for which men and women are accepted for enlistment in the Regular Navy or the Naval Reserve is 17 years with written parental consent or 18 years without parental consent. The maximum age for enlistment in the Regular Navy is 35 years. The maximum age for enlistment of prior service is determined by adding the individual's years of prior service to 35.

b. The maximum calendar age of an enlisted member of the Naval Reserve shall not exceed 62 years (not beyond their 63rd birthday). The maximum computed age for enlistment or reenlistment in the Naval Reserve shall not exceed 39 years. The computed age of an applicant for enlistment in the Naval Reserve is determined by subtracting member's prior qualifying years of military service for retirement purposes (active duty and inactive duty) from member's calendar age.

c. Enlisted members shall not exceed the age that will allow them to complete 20 years of qualifying service for retirement by their 60th birthday.

4. Personnel Required to Serve 6 or 8 Years

a. Personnel in the categories listed below are required to serve a total of 6 or 8 years, as the case may be, from date of induction, appointment, or enlistment. This service may be either active duty or inactive duty, or a combination of both. The terms "inducted" and "enlisted" as used in this article refer to initial entry of personnel into any of the Armed Forces including a reserve component thereof.

b. Each person who entered initial military service on or after 1 June 1984 shall serve a total period of 8 years from the date of enlistment, appointment, or, when authorized by law, induction. 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. 10101, 10142, 10143, 10145, and 10146; any combination of active duty for Ready Reserve service, as prescribed in the application DOD and Navy regulations may be used to fulfill the MSO.

c. Each male who, on or after 9 November 1979, and each female who, on or after 1 February 1978, became a member of the Regular Navy or Naval Reserve shall serve in the Regular Navy and/or Naval Reserve for a total of 6 years, unless discharged sooner. Any part of such service that is not active duty or active duty for training shall be performed as a member of the Naval Reserve on inactive duty.

d. Males without prior military service between the ages of 17 and 18 1/2 who, prior to 1 August 1963, enlisted directly into the Ready Reserve of the Naval Reserve with a requirement to perform initial active duty for training of 3 to 6 months, acquired an 8-year military service obligation.

e. Each male who, on or after 9 August 1955, became a member of the Regular Navy or Naval Reserve before his 26th birthday and is not in the category above, shall serve in the Regular Navy and/or Naval Reserve for a total of 6 years, unless discharged sooner. Any part of such service that is not active duty or active duty training shall be performed as a member of the Naval Reserve on inactive duty.

5. **Procedures for Discharge or Separation.** The MSO is considered terminated when a member is discharged, except 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 the 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.

6. **Procedures for Discharge Prior to Completion of MSO**

a. Generally, discharge of a member prior to fulfilling a MSO shall be permitted only when it has been determined that the member has no potential for service under conditions of full mobilization, except as follows:

"Delayed entry" is an enlistment in which a Servicemember's entry on active duty or initial active duty for training is postponed under regulations prescribed by the Secretary of the Navy. Members in a delayed entry status incur an MSO.

b. Persons who enlist in the Ready Reserve under 10 U.S.C. 12103 for the express purpose of agreeing to a

subsequent enlistment in a regular component of the military services are in the "Active Component Delayed Enlistment Program" (DEP). DEP members who fail to enlist in a regular component of the Armed Forces may be ordered to involuntary initial active duty for training and to complete the remainder of the MSO in a reserve component.

c. Clarification of the relationship of DEP to MSO and the Pay Entry Base Date (PEBD) is as follows:

(1) **01 October 1979 to 31 May 1984:** DEP does not count toward MSO, but does to PEBD.

(2) **01 June 1984 to 31 December 1984:** DEP counts toward both MSO and PEBD.

(3) **01 January 1985 to present:** DEP counts toward MSO, but not to PEBD.

d. Persons who enlisted in the Ready Reserve under 10 U.S.C. 12103 for service in a reserve component and whose initial active duty for training or active duty is postponed are in the "Reserve Component Delayed Entry into Training" (DET). DET members who fail to report for initial active duty for training or active duty may be ordered to involuntary initial active duty for training or to active duty to complete the remainder of the MSO in a reserve component.

e. DEP/DET members may also be discharged for any of the reasons specified in the discharge regulations. 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.

7. **Discharge for Underage Entry.** A Servicemember whose enlistment or appointment is declared void because the Servicemember is underage and who is released as the result of such action may not be considered to have acquired an MSO; however, service rendered under a void underage enlistment, when characterized as honorable, shall be creditable toward fulfilling any subsequent MSO acquired by the Servicemember. Such credit would not alter the terms of any subsequent enlistment for specific periods of active component or reserve component service. If such service was performed only in a

delayed entry status, it will not be credited to fulfillment of the MSO.

8. **Discharge for Clergy Members**. Upon written application, a Servicemember may be discharged from a reserve component of a military service if the Servicemember has become a member of the clergy and satisfactorily establishes that

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

9. **Service Academy and ROTC**. An enlisted Servicemember who accepts appointment to a service academy as a cadet or midshipman under 10 U.S.C. 403, 603, or 903, or as an ROTC cadet or midshipman under Section 2107, retains enlisted status in spite of such appointment. If an appointment is terminated before graduation, or if a cadet or midshipman refuses to accept a commission 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. Credit described above does not alter the authority for ordering disenrolled cadets or midshipman to active duty.

a. **ROTC Advanced Training (College Program)**. An officer appointed under 10 U.S.C. 2104 shall have a MSO of 8 years from the date of appointment minus any prior enlisted service prior to entry into advanced training under regulations of DOD Directive 1215.8 of 25 March 1994.

b. **ROTC Scholarship Recipients**. An officer appointed under 10 U.S.C. 2107 shall have a MSO of 8 years from the date of appointment.

c. **Military Junior Colleges Scholarship Recipients**. An officer appointed under 10 U.S.C. 2107a shall have a MSO of 8 years from the date of appointment.

d. **Failure to Complete Training or to Accept Appointment.** The MSO shall be equivalent to the period for which the member is ordered to serve on active duty in a Reserve Component under 10 U.S.C. 2105, 2107, or 2107a.

10. **Credit for Direct Appointments as a Cadet or Midshipman**

a. **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.

b. **Service Academy Appointments.** An officer appointed under 10 U.S.C. 403, 603, or 903 shall incur a MSO of 8 years from the date of appointment. If an appointment is terminated before graduation or if a cadet or midshipman refuses to accept a commission offered following graduation, the MSO shall be equivalent to the period for which the member is ordered to serve on active duty or in the Reserve components under 10 U.S.C. 4348, 6959, or 9348, and according to DOD Directive 1332.23.

11. **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 as outlined in "Procedures for Discharge Prior to Completion of MSO," above.

12. **Interservice and Intercomponent Transfers.** Transfer of Servicemembers who have a remaining MSO between military services or components of a military service shall be accomplished under MILPERSMAN 1910-102 for enlisted personnel and SECNAVINST 1000.7D for officer members. Obligated military service performed before and after an authorized transfer shall be counted toward fulfillment of the MSO.

13. **Induction.** In time of war or national emergency, or when otherwise authorized by law, a person who is inducted under 10 U.S.C., and who completes the required period of active training and service, shall continue to hold their appointment or enlistment contract to serve as a reservist and shall be required to fulfill the term of obligation unless discharged by the Secretary of the Navy.