



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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OPNAVINST 1000.26A
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OPNAV INSTRUCTION 1000.26A

From: Chief of Naval Operations

Subj: FULFILLING THE MILITARY SERVICE OBLIGATION (MSO)

Ref: (a) 10 U.S.C.
(b) DOD Directive 1332.14 of 21 Dec 93
(c) DOD Instruction 1200.15 of 18 Sep 97
(d) DOD Directive 1215.13 of 14 Dec 95
(e) SECNAVINST 1920.6C
(f) Naval Military Personnel Manual (MILPERSMAN)
(g) DOD Directive 1332.23 of 19 Feb 88
(h) 50 U.S.C., Appendix, Section 451 et seq. (Public Law 90-40, Military Selective Service Act of 1967)
(i) SECNAVINST 1000.7F
(j) BUPERSINST 1000.39E

1. Purpose. This instruction implements sections 10145, 10146, 12103, and 651 of reference (a) by prescribing, policy, procedures, and responsibilities with respect to fulfillment of the statutory military service obligation (MSO).

2. Cancellation. OPNAVINST 1000.26.

3. Definitions

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

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

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

d. Military Service Obligation (MSO). 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 (SECDEF) and the Military Department concerned.

e. 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.

4. Policy. Every person, upon initial entry into a Military Service, shall serve a total of eight years. The MSO is established as eight years.

5. Procedures

a. The MSO

(1) Any person whose initial entry into a Military Service is on or after 1 June 1984 shall serve a period of eight 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 Navy (SECNAV).

(2) Any portion of the MSO that is not active duty or active duty for training shall be performed in a reserve component as defined by reference (a), sections 10101, et seq. 10142 and 10143; any combination of active duty or Ready Reserve service under applicable Department of Defense (DOD) and Navy Department regulations may be used to fulfill the MSO.

(3) The fulfillment of the MSO shall be accomplished without interrupting the continuity of the member's total military service, except as noted in paragraph 5e.

b. Discharge or Separation

(1) The MSO is considered terminated when a member is discharged except as indicated in paragraph 5b(2) below.

(2) 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.

c. Discharge Prior to Completion of MSO. Generally, discharge of a member prior to fulfilling an 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 paragraphs 5d, 5e and 5i.

(1) Obligated Enlisted Service Members. Policy for the discharge of enlisted service members is contained in reference (b).

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

d. Delayed Entry. Delayed entry is the military status gained by an enlistment in which a servicemember's entry on active duty or Initial Active Duty for Training (IADT) is postponed under regulations prescribed by SECNAV. Members in a delayed entry status incur an MSO.

(1) Active Component Delayed Enlistment Program (DEP). Persons who enlist in the Ready Reserve under reference (a), section 12103 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.

(2) Reserve Component Delayed Entry into Training (DET). Persons who enlist in the Ready Reserve under reference (a), section 12103 for service in a reserve component and whose IADT or active duty is postponed are in the DET. DET members who fail to report for IADT or active duty may be ordered to involuntary IADT or to active duty to complete the remainder of the MSO in a reserve component.

(3) Discharge from DEP/DET. DEP/DET members may also be discharged for any of the reasons specified in reference (f), article 1910-136. 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.

e. 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. If such service was performed only in a delayed entry status, it will not be credited to fulfillment of the MSO (paragraph 5d(3) applies). Procedures for underage discharges are established in reference (f), article 1910-128.

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

(1) Credit for Enlisted Service. An enlisted servicemember who accepts appointment to a service academy as a cadet or midshipman under reference (a), chapter 403, 603, or 903, or as an ROTC cadet or midshipman under reference (a), section 2107 retains enlisted status in spite of such appointment.

(a) 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.

(b) Order to Active Duty Following Termination. Credit described in subparagraph 5f(1)(a), does not alter the authority for ordering disenrolled cadets or midshipman to active duty.

(c) ROTC Advanced Training (College Program). An officer appointed under reference (a), section 2104 may not be credited with service as a cadet or midshipman or with concurrent enlisted service.

(d) ROTC Scholarship Recipients. An officer appointed under reference (a), section 2107 may not be credited with service as a cadet or midshipman or with concurrent enlisted service.

(2) 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 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).

g. Unsatisfactory Participation in the Ready Reserve. A person who incurs an MSO and who subsequently fails to perform satisfactorily any required reserve training may not be discharged, except under paragraph 5c above.

h. 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 reference (f), article 1910-102 in the case of enlisted members and reference (i) in the case of officers. Obligated military service performed before and after an authorized transfer shall be counted toward fulfillment of the MSO.

i. Members of the Clergy. Under section 12682 of reference (a), 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 all of the following:

(1) The ministry is, or will be, their main and primary vocation,

(2) They will, or do regularly, engage in religious preaching and teaching,

(3) Their religious faith group is organized exclusively or substantially for religious purposes,

(4) Their standing in the faith group is, or will be, recognized as that of a minister or leader of a group of lesser members, and

(5) They are certified by an appropriate official of the faith group to be a fully qualified minister or member of the clergy for groups that have clergy, and are in good standing.

j. Induction. In time of war or national emergency or when otherwise authorized by law, persons who are inducted under reference (h), section 6(c)(2)(d) and who complete 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 the obligation, unless discharged by SECNAV.

6. Action

a. Commander, Navy Personnel Command (COMNAVPERSCOM) shall promulgate the requirements for the administration of the MSO in conformance with this instruction.

b. Commander, Navy Recruiting Command (COMNAVCRUITCOM) shall ensure that all men and women recruited into the Navy understand the requirements and obligation of the MSO contained herein.

c. COMNAVPERSCOM (PERS-49) shall maintain adequate and current information on members of the Individual Ready Reserv who have a remaining obligation as deemed appropriate per reference (j).

d. Commander, Naval Education and Training Command shall ensure all NROTC midshipmen understand their MSO.

e. Superintendent, United States Naval Academy shall ensure all Naval Academy Midshipmen understand their MSO.

f. Chief, Bureau of Medicine and Surgery shall provide consulting services concerning appropriate physical qualification.



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