



Department of Defense INSTRUCTION

NUMBER 1312.03

October 6, 2006

USD(P&R)

SUBJECT: Service Credit for Commissioned Officers

- References:
- (a) DoD Directive 1312.3, subject as above, October 21, 1996 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense Memorandum, "DoD Directives Review - Phase II," July 13, 2005
 - (c) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," February 11, 2006
 - (d) Sections 533, 620, 641, 716, 741, 5589, 5596, 12207, 14002 of the title 10, United States Code
 - (e) through (g), see Enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues Reference (a) as a DoD Instruction according to the guidance in Reference (b) and the authority in Reference (c).
- 1.2. Continues to implement section 533 of Reference (d) to update policies and procedures governing the granting of service credit to persons upon appointment, designation, or assignment as Regular commissioned officers, except those in the health professions.
- 1.3. Continues to implement section 12207 of Reference (d) to establish policies and procedures governing the granting of service credit to persons upon original appointment, designation, or assignment as a Reserve commissioned officer, except those in the health professions.

2. APPLICABILITY AND SCOPE

This Instruction:

- 2.1. Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of 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 in the Department of Defense.

2.2. Does not apply to inter-Service transfers pursuant to section 716 of Reference (d), except as provided in DoD Directive 1300.4 (Reference (e)); to the appointment of Reserve commissioned officers as Regular commissioned officers pursuant to section 533(f) of Reference (d); and to the appointment of commissioned officers designated for limited duty pursuant to section 5589 or 5596 of Reference (d).

3. DEFINITIONS

Terms used in this Instruction are defined below; in sections 101(b), (c), and (d) of Reference (d); DoD Instruction 6000.13 (Reference (f)); and DoD Instruction 1304.28 (Reference (g)).

3.1. Judge Advocate. A commissioned officer in the Judge Advocate General's Corps of the Army or Navy or a commissioned officer who is appointed in the Air Force or Marine Corps and designated as a judge advocate.

3.2. Military Service. Service in the Army, the Navy, the Air Force, or the Marine Corps.

4. POLICY

It is DoD policy that the award of service credit to any person appointed, assigned, or designated as a commissioned officer in an officer category shall be equitably determined to establish an appropriate appointment grade and date of rank relative to other officers in the same competitive category.

5. RESPONSIBILITIES

5.1 The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall develop, establish, maintain, and oversee policies involving determination of service credit for commissioned officers.

5.2 The Secretaries of the Military Departments shall:

5.2.1. Comply with the policies and procedures prescribed herein.

5.2.2. Administer the policies in this Instruction.

5.2.3. Recommend policy changes, as necessary, to this Instruction to the USD(P&R).

6. PROCEDURES

6.1. Entry Grade Credit. The entry grade and date of rank or promotion service credit in grade of a commissioned officer (other than an officer in the health professions) shall be determined by the entry grade credit awarded upon appointment. The entry grade credit that is awarded shall be the sum of the prior commissioned service allowed and the amount of constructive service credit allowed. A period of time shall be counted only once when computing credit.

6.1.1. Prior Active Commissioned Service Credit. Credit for prior service as a commissioned officer may not exceed 1 year for each year of the following:

6.1.1.1. Active duty commissioned service or commissioned service in an active status (except as a commissioned warrant officer) including periods of active duty for training.

6.1.1.2. Commissioned service in an active status while participating in a program leading to appointment in a specialty in which constructive service is awarded or in the specialty in which being appointed, designated, or assigned. An officer who completes a program that would qualify for credit under paragraph 6.1.2.4. while in an active status may be credited with constructive credit in the amount of the difference between the officer's service in an active status and the amount of time normally required to complete the program. The length of such a program shall be the number of years (to the nearest year) normally required to complete the advanced education or receive the advanced degree pursuant to sections 533 and 12207 of Reference (d).

6.1.1.3. Commissioned service (except as a commissioned warrant officer) in an active status, but not on active duty, for persons appointed as Reserve commissioned officers.

6.1.2. Constructive Service Credit. The purpose of constructive service credit is to provide grade and date of rank comparability for a person who begins commissioned service after obtaining the additional education, training, or experience required for appointment, designation, or assignment as a commissioned officer in a professional field relative to a contemporary who began commissioned service immediately after obtaining a baccalaureate degree. Constructive service credit shall be determined in accordance with the following guidelines.

6.1.2.1. A period of time shall be counted only once when computing constructive service credit.

6.1.2.2. Periods of time spent in an active status as a commissioned officer or on active duty may not be counted when computing constructive service credit.

6.1.2.2.1. The Secretary of the Military Department concerned may award constructive service credit for advanced education or an advanced degree when an officer completes the advanced education, or receives the advanced degree in an active status or while on active duty in less than the number of years normally required to complete such advanced education or receive such advanced degree.

6.1.2.2.2. Constructive service credit may be awarded only if such education or advanced degree is required as a prerequisite for appointment as a commissioned officer in a particular officer category, and only to the extent that the period of time normally required to complete such advanced education or receive such advanced degree exceeds the actual number of years in which the officer obtained such advanced education or degree while a commissioned officer in an active status or on active duty.

6.1.2.3. Qualifying periods of less than 1 year shall be proportionately credited.

6.1.2.4. Except as provided in paragraph 6.2.2., the number of years creditable as constructive service credit may not exceed the following:

6.1.2.4.1. Chaplains

6.1.2.4.1.1. Entry grade for appointment designation or assignment shall not exceed 3 years.

6.1.2.4.1.2. Seven or more years of extensive practical experience in a ministry shall not exceed 1 year.

6.1.2.4.1.3. Unusual cases involving special experience or unique qualifications as determined by the Secretary of the Military Department concerned shall not exceed one-half year for each year up to 3 years of credit.

6.1.2.4.2. Judge Advocates

6.1.2.4.2.1. Entry grade for appointment designation or assignment shall not exceed 3 years.

6.1.2.4.2.2. Unusual cases involving special experience or unique qualifications as determined by the Secretary of the Military Department concerned shall not exceed one-half year for each year up to 3 years of credit.

6.1.2.4.3. Other Categories

6.1.2.4.3.1. Entry grade credit for appointment designation, or assignment, as determined by the Secretary of the Military Department concerned, in those cases in which advanced education beyond the baccalaureate degree level is required as a prerequisite for appointment, assignment or designation in a particular commissioned officer category shall not exceed 1 year for each year of the advanced education.

6.1.2.4.3.2. Entry grade credit for special experience, or unique qualifications, as determined by the Secretary of the Military Department concerned, in those cases in which advanced education beyond the baccalaureate degree level is required as a prerequisite for appointment, assignment, or designation in a particular commissioned officer category shall not exceed one-half year for each year, up to a maximum of 3 years of credit.

6.1.3. Maximum Entry Grade Credit. The total entry grade credit granted, except for a health professional officer, shall be no more than that required for the person to receive an entry grade of major or lieutenant commander. This limitation may be waived by the Secretary of the Military Department concerned in individual cases if there are significant reasons to appoint a person in a higher grade. It is not applicable to the appointment of a Reserve commissioned officer as a Regular commissioned officer pursuant to section 533(f) of Reference (d).

6.1.4. Service Academy Graduates. Graduates of the Service Academies may not receive credit under paragraph 6.1.1. or 6.1.2. for service performed, or education, training, or experience obtained before graduation.

6.2. Entry Grade

6.2.1. A person granted service credit under this Instruction and placed on the Active Duty List or Reserve Active Status List of a Military Service may have an entry grade determined by comparing entry grade credit with the appropriate promotion phase points of the Military Service and officer category concerned. Except as limited by paragraph 6.1.3., credit granted that exceeds that amount used to establish the entry grade shall be used to adjust the date of rank. Reserve component officers shall be ordered to active duty in their Reserve grades.

6.2.2. A person who is a former commissioned officer may, if otherwise qualified, be appointed as a Reserve officer. A person so appointed:

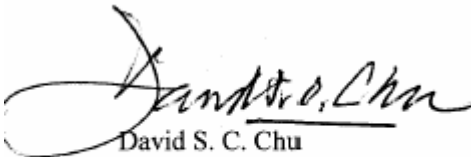
6.2.2.1. May be placed on the Reserve Active Status List of that Armed Force in the grade equivalent to the permanent Regular or Reserve grade, and in the same competitive category, in which the person previously served satisfactorily on active duty or in an active status; and,

6.2.2.2. May be credited for determining date of rank under section 741(d) of Reference (d) with service in grade equal to that held by that person when discharged or separated.

6.2.3. If the Secretary of Defense determines that the number of judge advocates serving on the active duty list in grades below major or lieutenant commander is critically below the number needed by that Armed Force, he or she may authorize the Secretary concerned to credit any person originally appointed, designated, or assigned as a judge advocate in the Military Service with a period of constructive service in such an amount as would qualify that person for the grade of captain (lieutenant in the Navy) and the date of rank of such person being junior to that of all other officers of the same grade serving on the Active Duty List. Requests by the Secretary of the Military Department concerned for such determination by the Secretary of Defense shall be submitted through the USD(P&R).

7. EFFECTIVE DATE

This Instruction is effective immediately.



David S. C. Chu
Under Secretary of Defense
Personnel and Readiness

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 1300.4, "Inter-Service Transfer of Commissioned Officers," November 15, 1996
- (f) DoD Instruction 6000.13, "Medical Manpower and Personnel," June 30, 1997
- (g) DoD Instruction 1304.28, "Guidance for the Appointment of Chaplains for the Military Departments," June 11, 2004