

**SUMMARY OF MAJOR CHANGES TO CHAPTER 1
DOD 7000.14-R, VOLUME 7A
MILITARY PAY POLICY AND PROCEDURES - ACTIVE DUTY AND RESERVE PAY**

New and revised instructions are indicated by a star placed immediately before the new or revised section, paragraph, subparagraph, decision logic table, etc.

Page	Paragraph	Explanation of Change/Revision	Effective Date
1-7 through 1-8	010201.H 0103	IC 16-99 incorporates paragraphs which were inadvertently omitted in the printing of the July 1996 version to Vol 7A regarding commissioned officers in pay grades O-1 through O-3 who had more than 4 years of active duty as enlisted personnel or warrant officers.	May 24, 1999
1-3, 1-7, 1-7, 1-9, 1-16 through 1-19	010104.M, 010201.I, 010201.J, 010401.A.1, Bibliography	IC 27-00 is regarding creditable service for certain reserve enlistment.	Sept 13, 2000

Interim change 27-00 is incorporated in this change.

CHAPTER 1

CREDITABLE SERVICE

0101 SERVICE WHICH IS CREDITABLE

010101. General

A. The several military pay and personnel systems use a variety of dates to determine various entitlements. Among them is the date that denotes how much service a member has for the purpose of determining longevity pay rates. The Army refers to this as the pay entry basic date, the Navy and Marine Corps refer to this as the pay entry base date, while the Air Force calls it simply the pay date. This chapter will refer to this data element as the basic pay date, which is defined as reflecting all service that is creditable towards longevity.

B. The member's servicing personnel office is responsible for providing, when necessary, a statement of service that can include the basic pay date, total active federal military service date, total commissioned federal military service date, and a variety of other dates, depending on the nature of the individual member's service. This regulation details only the computation of the basic pay date, since Military Service personnel regulations control the computation of all other dates.

010102. Computation of Creditable Service. For most members who enter and serve on active duty without a break in service, the basic pay date is the date the member enters active or inactive service. If, however, there is a break in service, the time between periods of service usually is not included. Also, there are statutory periods when service in a particular component may not be counted. Conversely, there are periods for which some members are given constructive service, even though they were not actually serving on active or inactive duty. Use the following guidance to compute the basic pay date when there has been a break in service of any kind or if there is a need to include constructive service.

010103. Creditable Service Periods. Include active or inactive service in any of the following components without restriction:

- A. Regular service in the Army, Air Force, Navy, Coast Guard, and Marine Corps
- B. Army, Naval, Marine Corps, Air Force, and Coast Guard Reserve
- C. Army of the United States (service without specification of component)
- D. Army National Guard

- E. Army National Guard of the United States
- F. National Guard
- G. National Guard of the United States
- H. Air Force of the United States (service without specification of component)
- I. Air National Guard
- J. Air National Guard of the United States
- K. Nurse Corps and Nurse Corps Reserve of the Public Health Service
- L. Public Health Service (PHS) and Reserve Corps of the Public Health Service.

010104. Other Creditable Service (with restrictions as noted). Include the following periods of service:

- A. Officer, deck officer, or junior engineer service in the National Oceanic and Atmospheric Administration, including similar periods of service in the former Corps of the Environmental Science Services Administration and the US Coast and Geodetic Survey.
- B. Service on a Military Service retired list, temporary disability retired list, or honorary retired list of any Uniformed Service, or service as a member of the Fleet Reserve or Fleet Marine Corps Reserve.
- C. Any period of service during which a member is entitled to retired, retirement, or retainer pay from any Uniformed Service.
- D. Any period of service during which the member is entitled to compensation from the Department of Veterans Affairs on account of service.
- E. Periods after December 11, 1941, when an enlisted member is retained after expiration of term of service of an Armed Force for medical care or hospitalization for disease or injury incident to service. Do not credit such periods of service if the underlying medical condition requiring medical care or hospitalization was due to the member's misconduct.
- F. Service otherwise creditable that is performed before a member reaches the statutory age for enlistment unless the enlistment contract was voided or invalidated for fraud.

G. Active service performed as a temporary member of the Coast Guard Reserve.

H. Service terminated by desertion or dishonorable discharge, unless the enlistment was fraudulent and was voided for that reason.

I. Service as a cadet or midshipman, provided the member has concurrent Enlisted Selected Reserve status covering the period on or after August 1, 1979.

J. Periods of service when a member is detailed to and receiving pay and allowances from any other agency of the United States, even though accrual of military pay and allowances is suspended.

K. Service as a member of the Army, Navy, or Air Force Reserve Officers' Training Corps, provided the member has concurrent Reserve status for duty performed on or after August 1, 1979.

L. Effective December 26, 1974, service as an aviation midshipman under the Act of August 13, 1946, 60 Stat. 1057, (reference (a)).

★ *M. Service as an enlisted member in a Reserve Component, including Ready Reserve service (inactive and active) under the Delayed Entry (Enlistment) Program (DEP), before beginning active duty or an initial period of active duty for training, provided the Reserve enlistment was entered into before January 1, 1985. As of January 1, 1985, the following restrictions went into effect as and when stated:*

1. For enlistments in a Reserve Component under 10 U.S.C. 511(b) or (d), including enlistments under a DEP, that were entered into between January 1, 1985, and November 28, 1989, the period served in the Reserve Component before beginning active duty or an initial period of active duty for training is not creditable. See subparagraph 010201.I.

2. For enlistments entered into on or after November 29, 1989:

(a) A period of enlisted service in a Reserve Component under 10 U.S.C. 12103(b) or (d), including inactive service under a DEP, is creditable service only if the member performs inactive duty training before beginning active duty or an initial period of active duty for training.

(b) Service performed as an enlisted member in a Reserve Component under 10 U.S.C. 513, other than a period of active duty, is not creditable service. (IC 27-00)

★ *N. Any period of service which was creditable under any federal statute in effect on January 10, 1962. (IC 27-00)*

★ *O. Prior provisions of law excluded the Simultaneous Membership Program from creditable service for commissioned officers effective October 13, 1964. Public Law 104-201, section 507, September 23, 1996 (reference (el)), amended these provisions to provide service credit retroactive to August 1, 1979. These amendments, as referenced in subparagraphs 010104.I and 010104.K, above, resulted in no increase in pay, retired or retainer pay before the date of enactment, September 23, 1996. Service in the program for enlisted members who retain that status remains creditable under all provisions. (IC 27-00)*

010105. Constructive Service

A. Some medical and dental officers are entitled to extra credit for longevity purposes to reflect the time spent in medical or dental school. Medical and dental officers must meet one or more of the following criteria to be entitled to the constructive credit:

1. On or before September 15, 1981, the officer already had the constructive service credit; the credit is not lost if there is a break in service either before or after that date. This includes PHS officers.

2. On September 14, 1981, the individual was enrolled either in the Armed Forces Health Professions Scholarship Program or the Uniformed Services University of Health Sciences, completed that program, and was appointed as a medical or dental officer.

3. On September 14, 1981, the individual was participating in a program that credited years of service and led to an appointment as an officer in the Army, Navy, Air Force or Marine Corps.

B. Medical and dental officers who meet the criteria in subparagraph 010105.A, above, are entitled to 4 years constructive service credit. Also, those medical officers who have completed medical internship or its equivalent, or who entered military status while serving such an internship, are entitled to a fifth year of constructive service credit.

C. Where a member is entitled to service credit for a period covered by the constructive credit, reduce the constructive service credit by an amount equal to the actual service credit.

010106. Examples

A. An individual completed dental school on June 11, 1977, and accepted commission as a dental officer on August 3, 1977. The member was credited with 4 years of constructive service and a basic pay date of August 3, 1973.

B. An individual completed medical internship on June 30, 1979, and accepted a commission as a medical officer on August 11, 1979. The member was credited with 5 years constructive service and a basic pay date of August 11, 1974.

C. An individual entered medical school in 1970, and accepted a commission on January 12, 1972. He graduated from medical school on June 10, 1974, and completed a civilian residency during the period from July 1, 1974, through June 30, 1975. Compute basic pay date as follows:

First, compute dual status period, which is the period of time between date of commission and date of graduation.

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Graduated:	74	06	10
Commission Date:	<u>72</u>	<u>01</u>	<u>12</u>
Dual Status Period:	02	04	28+1 (inclusive day)

Then, compute constructive service credit, which is the 4 years constructive credit less the time already credited as commissioned service:

Maximum constructive service credit:	03	11	30
Less dual status time:	<u>02</u>	<u>04</u>	<u>29</u>
Constructive Credit:	01	07	01

The member's basic pay date was 1 year, 7 months, and 1 day before his commission date of January 12, 1972, or June 11, 1970.

D. The scenario is the same as in subparagraph C, above, except the member accepted a commission on July 12, 1974, after starting the internship. He was entitled to 5 years of constructive service credit instead of 4.

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Date finished internship:	75	06	30
Commission date:	<u>74</u>	<u>07</u>	<u>12</u>
Dual status period:	00	11	17+1 (inclusive day)

Maximum constructive service credit:	04	11	30 (5 years)
Less dual status time:	<u>00</u>	<u>11</u>	<u>18</u>
Constructive credit:	04	00	12

The member's basic pay date was 4 years, no months, and 12 days before his commission date, or July 1, 1970.

E. An officer who had been commissioned on November 19, 1962, entered dental school on September 9, 1970, and graduated on May 28, 1974. To compute constructive service credit:

First, compute dual status:

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Graduated:	74	05	28
Started School:	<u>70</u>	<u>09</u>	<u>09</u>
Dual Service:	03	08	19+1 (inclusive day)

Then, deduct the dual service from the 4-year constructive credit period to arrive at net constructive service credit.

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Maximum constructive service credit:	03	11	30 (4 years)
Less Dual Service:	<u>03</u>	<u>08</u>	<u>20</u>
Constructive credit:	00	03	10

Change the member's basic pay date to 3 months and 10 days before his previous one (November 19, 1962) to August 10, 1962.

0102 SERVICE NOT CREDITABLE

010201. In general, do not use any service that is not listed as creditable service to compute a basic pay date. The following list includes a few types of service that are not creditable:

- A. Time served in an enlistment that is terminated, voided, or invalidated as fraudulent.
- B. Time served as a commissioned officer in the Philippine Army.
- C. The constructive time authorized by the Act of December 28, 1945 (59 Stat 664) (reference (b)), for determining grade and eligibility for promotion.
- D. The period of time a member was on the Emergency Officers' Retired List.
- E. Time an individual was a member of a state, home, or territorial guard.
- F. For commissioned officers, any period of service performed prior to August 1, 1979, in the Reserve Officers' Training Corps, even if the member held a concurrent Reserve status.

G. Time an individual was a member of the inactive National Guard. This does not apply to an individual who was a member of the National Guard Reserve and the National Guard of the United States. Time during which the individual had dual status, enlisted or commissioned, in the inactive National Guard and the National Guard of the United States is creditable.

★ H. The time a member serves while enrolled in the Armed Forces Health Professions Scholarship and Financial Assistance Programs (reference (c)), or while a student at the Uniformed Services University of Health Sciences (USUHS). However, use any service creditable on the date of the officer's entry into USUHS to compute the officer's basic pay for longevity purposes while a USUHS student, not to exceed the maximum rate of O-1 pay in Table 2-5 or, if applicable, the maximum O-1E pay in Table 2-6 in this volume.

★ I. *The time served in a Reserve Component before beginning active duty or an initial period of active duty for training for enlistments in a Reserve Component under 10 U.S.C. 511(b) or (d) entered into between January 1, 1985, and November 28, 1989. (IC 27-00)*

★ J. *For enlistments entered into on or after November 29, 1989:*

1. *A period of enlisted service in a Reserve Component under 10 U.S.C. 12103(b) or (d), including inactive service under a DEP, if the member does not perform inactive duty training before beginning active duty or an initial period of active duty for training.*

2. *Service performed as an enlisted member in a Reserve Component under 10 U.S.C. 513, other than a period of active duty. (IC 27-00)*

K. Prior provisions of law excluded the Simultaneous Membership Program from creditable service for commissioned officers effective October 13, 1964. Public Law 104-201, section 507, September 23, 1996 (reference (e)), amended those provisions to provide service credit retroactive to August 1, 1979. Those amendments, as referenced in subparagraph 010104.I and 010104.K, above, resulted in no increase in pay, retired or retainer pay, before the date of enactment, September 23, 1996. Service in the program for enlisted members who retained that status remained creditable under all provisions.

010202. Effect of Absence from Duty on Creditable Service

A. A commissioned or warrant officer is entitled to credit for every day in a commissioned or warrant status, without regard to absence of any kind, whether authorized or unauthorized, and including confinement prior to and during trial. In addition, absence during which a member was serving on active duty as an enlisted member is creditable if the enlisted member also holds a commission as a Reserve officer.

B. See Table 1-1 to determine the creditability for absence while in enlisted status.

C. Enlisted members must make up any lost time. The period of service during which a member makes up lost time is creditable service. The time a member is held in a non-duty status while awaiting trial, as well as the time during trial, does not count towards making up lost time and is not creditable.

★0103 ACTIVE ENLISTED AND/OR WARRANT OFFICER SERVICE FOR MEMBERS IN BASIC PAY GRADES O-1E, O-2E, OR O-3E

010301. Service Counted

A. General. Commissioned officers with over 4 years of prior active service as an enlisted member, warrant officer, or combined service in both grades are entitled to count such service for purposes of computing basic pay for longevity purposes. Such prior service includes all active service, in either the Regular or Reserve Component or both (i.e., active duty for training in enlisted or warrant officer status, annual Reserve training duty, and full time National Guard duty). Service on active duty or active duty for training for at least 4 years and 1 day satisfies the over 4 years of service requirement under this section. See subparagraphs 010201.H and applicable notes to Tables 2-5 and 2-6 for student entitlement to basic pay for longevity purposes while attending the USUHS.

B. Creditable Prior Enlisted Service. Effective May 20, 1958, commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as an enlisted member are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

C. Creditable Prior Warrant Officer Service. Effective September 1, 1980, commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as a warrant officer are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

D. Creditable Combined Prior Service. Effective October 1, 1993, commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of combined prior active service as an enlisted member and warrant officer are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

010302. Service Not Counted. In computing active service, do not count:

A. Active service in a dual status (temporary officer-permanent enlisted) in the Navy or Marine Corps.

B. Service as a National Guard technician.

C. Except for periods of active duty service performed while a USUHS student, time served as a student at USUHS. See paragraph 010201.H and applicable notes to Tables 2-5 and 2-6.

0104 COMPUTATIONS OF CREDITABLE SERVICE

010401. Computing a Basic Pay Date

A. All basic pay date computations start from the date of the member's most recent entry on duty without a break in service. Use the following dates:

★ *1. For enlisted members, the date of enlistment, but see subparagraphs 010104.M and 010201.I and J, above, for service under a delayed entry program. (IC 27-00)*

2. For officers, the date of acceptance of a commission. The date of acceptance for officers graduating from a Military Service academy is the date of graduation.

3. For officers entitled to count service as an acting assistant surgeon, intern, or hospital steward in the Public Health Service or the Public Health Marine Hospital Service, the date of acceptance of the appointment. Do not count service performed before that date.

B. After determining initial basic pay date, compute creditable service for all service prior to that date. Use the following to compute basic pay date. If the member had any periods of service during which there was lost time, do not use those periods here. Instead, compute according to subparagraph 010401.C, below.

1. List beginning dates of service for each separate period of service, without changing any of them, then add them together.

2. List all ending dates. If the day is the 31st day of the month, change it to 30. If the day is February 28 in a non-leap year, change it to February 30 for computation purposes. If the day is February 29, change it to February 30 for computation purposes. Do not change February 28 of a leap year to February 30. Then add all ending dates together.

3. Subtract the result in 1 above from the result in 2.

4. For each noncontinuous period of service, add 1 day to account for inclusive days. Explanation: Any period of service is at least one day. If, for example, the member had one day of service on January 17, 1962, the computation would look like this:

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Ending Day:	62	01	17
Less Beginning Day:	<u>62</u>	<u>01</u>	<u>17</u>
	00	00	00

It is necessary to add one day for inclusive days to avoid this erroneous answer.

5. Convert to full years, months, and days. The result is years of service creditable for pay purposes.

EXAMPLE:

Member served as follows:

	<u>From:</u>	<u>To:</u>
RA (enlisted)	Jan 1, 51	Feb 28, 54
AUS (Com)	Jun 1, 54	May 26, 61
AFUS (Com)	Aug 1, 63	Mar 31, 68
EASF (Com)	Apr 1, 68	Jun 4, 75

Beginning dates:

Ending Dates:

<u>YR</u>	<u>MO</u>	<u>DAY</u>	<u>YR</u>	<u>MO</u>	<u>DAY</u>
51	01	01	54	02	30
54	06	01	61	05	26
<u>63</u>	<u>08</u>	<u>01</u>	<u>75</u>	<u>06</u>	<u>04</u>
168	15	03	190	13	60

Convert February 28, 1954, to February 30, 1954, since 1954 was not a leap year. Convert March 31, 1968, to March 30, 1968, since the 31st day of a month does not count as an ending date, though it would count as a beginning date. The period from August 1, 1963, through June 4, 1975, is continuous, so it is all included in the third line of the computation.

Subtract total of beginning dates from total of ending dates:

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
190	13	60	(total of ending dates)
189	25	60	(borrowed twelve months from year column)
<u>-168</u>	<u>15</u>	<u>03</u>	
21	10	57	

Add one day for each of the 3 periods used in the computation. The result is 21 years, 10 months, and 60 days, which converts to exactly 22 years of creditable service.

C. Computations involving lost time. When a member has lost time, compute the creditable service for the period served separately, as shown below. Add the results to any

creditable service computed separately under subparagraph 010401.B, above.

1. When there is a period of lost time that has not been made good, compute the lost time on a 30-day month basis; but, if the lost time begins on the 31st day of a month, include that day as a lost day. Compute as follows:

Determine the years, months, and days of lost time and deduct that amount from the total service during the period.

Example 1: A member enlisted for 4 years on July 18, 1970, but was absent without leave (AWOL) from February 10, 1973, through March 16, 1973. The member received a hardship discharge on August 10, 1973, without making up the lost time. The member reenlisted February 20, 1975. Compute creditable service and basic pay date as follows:

First compute the lost time:

	<u>YR</u>	<u>MO</u>	<u>DAY</u>
Ended AWOL:	73	03	16
Began AWOL:	73	02	10
Lost Time:	00	01	06+1 (inclusive day)

Then compute first period of service:

Discharged:	73	08	10
Entered AD:	70	07	18
Subtotal:	03	00	22+1 (inclusive day)
Deduct lost time:	00	01	07
Creditable Service:	02	11	16

Subtract 2 years, 11 months, and 16 days from reenlistment date of February 20, 1975, to arrive at a new basic pay date of March 4, 1972.

2. A member, who makes good lost time, does so on a day-to-day basis. When the member makes good lost time and completes the enlistment or contract period, compute the period of lost time on both a 30-day month basis and a day-to-day basis and use the result that is most to the member's advantage. To illustrate, if a member is AWOL on March 30 through April 1, it would be 3 days on the day-to-day basis but only 2 days on a 30-day month basis. Compute creditable service as follows (and separately from periods of service which do not have lost time):

First step: Compute total lost time on both a 30 day basis and a day-to-day basis. Convert the day-to-day basis computation to years, months, and days and compare it to the computation on the 30-day basis. Discard the one which shows a higher total of days lost.

Second step: Compute the gross amount of service during the period by subtracting the entry date from the discharge date and adding one day for inclusive day.

Third step: Subtract the lost time from the result of the second step. If the result is at least as long as the enlistment contract, use that amount. If the result is less than the enlistment contract, increase it to equal the enlistment contract.

Fourth step: Add this creditable service to any other periods and use the total to figure the member's basic pay date.

Example 2: Assume the member in example 1 had not received a hardship discharge; instead, he had completed the enlistment contract, including making good the lost time. He made up the 35 days of lost time computed on a day-to-day basis. The days served to make good the lost time were July 18-31, 1974 (14 days), and August 1-21, 1974 (21 days).

When member reenlists on February 20, 1975, compute creditable service as follows:

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
74	08	21	(ending date of last period of service)
-70	07	18	(beginning date of last period of service)
04	01	03 +1	(inclusive day)

The result is 4 years, 1 month, and 4 days before deducting lost time. Note the lost time computed on a 30-day month basis was 37 days, but was only 35 days when computed on a day-to-day basis. Subtract the 35 days lost time from the period of service computed above.

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
04	01	04	
-00	01	05	
03	11	29	(total service)

The result is less than the enlistment contract of 4 years, but since the member completed the enlistment contract, he is entitled to credit for the entire 4 years. Set basic pay date at February 20, 1971, when the member reenlists on February 20, 1975.

Example 3: A member enlisted on July 18, 1970, for 4 years. She was AWOL from July 28, 1973, through September 3, 1973, which is 38 days on a day-to-day basis (July 28-31, 4 days; August 1-31, 31 days; and September 1-3, 3 days). She is discharged on August 24, 1974, after making good the 38 days of bad time by serving July 18-31 (14 days) and August 1-24 (24 days).

When she reenlists on February 20, 1975, compute prior service as follows:

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
74	08	24	(ending date of last period of service)
-70	07	18	(beginning date of last period of service)
04	01	06+1	(inclusive day)

The result is 4 years, 1 month, and 7 days before deducting lost time.

Lost time on a day-to-day basis was 38 days. Lost time on a 30-day month basis is:

Jul 28-31, 1973	03 days
Aug 1-30, 1973	30 days
Sep 1-3, 1973	<u>03 days</u>
Total	36 days

Following the rule set out in step 2, above, deduct the lost time in the manner most beneficial to the member.

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
04	01	07	(service before deducting lost time)
-00	01	06	(lost time)
04	00	01	

Set the basic pay date at February 19, 1971, when the member reenlists on February 20, 1975.

D. Adjusting basic pay date when member has lost time. Lost time does not change an officer's basic pay date. When an enlisted person returns to duty after a period of lost time, add the number of days lost time to the member's basic pay date to reflect the lost time.

Example: An enlisted member with no prior service enlisted on July 18, 1973. He was AWOL from February 10, 1975 through March 16, 1975. When member returns to duty status, change his basic pay date as follows:

Compute lost time:

February 10-30	21 days
March 1-16	<u>16 days</u>
	37 days lost time

<u>YR</u>	<u>MO</u>	<u>DAY</u>	
73	07	18	(original basic pay date)
+00	01	07	
73	08	25	

The new basic pay date is August 25, 1973.

010402. Procedure when Basic Pay Date Falls on February 29. When basic pay date falls on February 29, entitlement to longevity increases begins on March 1 in non-leap years and on February 29 in leap years.

ABSENCE FROM DUTY IN ENLISTED STATUS			
R U L E	A	B	C
	When the absence is	and	the period of absence is
1	authorized leave or authorized excess leave		creditable.
2	unauthorized absence of more than 1 day (24 consecutive hours) (including detention of Army or Air Force members by or for civil authorities)	is administratively excused as unavoidable	
3		is not administratively excused as unavoidable	not creditable (note 2).
4	civil detention of a Navy or Marine Corps member	occurred before July 24, 1956, and the member was not acquitted or released without trial, and without making restitution	
5		occurred on or after July 24, 1956, and the member was absent under sentence or awaiting (and during) trial which resulted in conviction (note 1)	
6	inability to perform duty for more than 1 day (24 consecutive hours) because of intemperate use of alcohol or drugs, or disease or injury resulting from misconduct		
7	desertion		
8	because of confinement for more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence (note 4)	the member was member of the Army or Air Force	
9	absence of a Navy or Marine Corps member because of confinement of more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence	the confinement occurred on or after July 24, 1956 (note 4)	
10		the confinement occurred before July 24, 1956	

NOTES:

1. If the member is released without trial or acquitted, or if conviction is set aside on legal grounds (as distinguished from clemency), the period of absence is creditable. If the member is released upon agreement to make restitution or is later convicted by court-martial on the same facts, the period of absence is not creditable.
2. Absence during which a member was serving on active duty as an enlisted person and was also a Reserve officer is creditable.
3. The period of absence is not creditable only if the confinement was under general court-martial sentence and/or while awaiting (and during) trial which resulted in a sentence by a general court-martial to confinement and total loss of pay and allowances.
4. Period spent in confinement is creditable when the member is acquitted or the sentence is set aside or disapproved.

Table 1-1. Absence From Duty In Enlisted Status

Chapter 01—Creditable Service

0101—Service Which is Creditable	37 U.S.C. 205 27 Comp Gen 530 24 Comp Gen 829 25 Comp Gen 680 10 U.S.C. 1038 62 Stat 1082 10 U.S.C. 507 37 Comp Gen 838 Public Law 86-197, Aug 25, 1959 Public Law 77-230, Section 3, Aug 21, 1941 Public Law 77-658, Jul 8, 1942 1 Comp Gen 668 45 Comp Gen 149 MS Comp Gen B-195448, Apr 3, 1980 42 Comp Gen 296 10 U.S.C. 2106(c) 10 U.S.C. 2107(g) 45 Comp Gen 103 Public Law 93-545, Dec 26, 1974 37 U.S.C. 203(d) 38 Comp Gen 68 37 U.S.C. 201(e)
010104.I	Public Law 104-201, Section 507, Sep 23, 1996 10 U.S.C. 2107 (g)
010104.K	Public Law 104-201, Section 507, Sep 23, 1996 10 U.S.C. 2106 (c)
★(IC 27-00)	<i>010104.M</i> <i>10 U.S.C. 513</i> <i>10 U.S.C. 12103(b),(d)</i> <i>37 U.S.C. 205(e)</i>
010104.P	Public Law 104-201, Section 507, Sep 23, 1996
0102—Service Not Creditable	36 Comp Gen 146 37 Comp Gen 237 Public Law 96-513, Section 402, 625,

		Dec 12, 1980
		MS Comp Gen B-221944.2-
		O.M., Mar 24, 1989
		1 Comp Gen 511
		1 Comp Gen 668
		3 Comp Gen 61
		22 Comp Gen 987
		25 Comp Gen 718
		37 U.S.C. 205(b)(d)(e)
		45 Comp Gen 103
		22 Comp Gen 907
		23 Comp Gen 755
		10 U.S.C. 2126
		10 U.S.C. 2114(b)
		38 Comp Gen 553
		38 Comp Gen 352
	010201.F	Public Law 104-201, Section 507, Sep 23, 1996
★	010201.H	10 U.S.C. 2106(c)
★(IC 27-00)	010201.J	10 U.S.C. 2114(b) <i>10 U.S.C. 513</i> <i>10 U.S.C. 12103(b),(d)</i> <i>37 U.S.C. 205(e)</i> <i>Public Law 98-525,</i> <i>Section 607, Oct 19, 1984</i>
	010201.K	Public Law 104-201, Section 507, Sep 23, 1996
	010202	38 Comp Gen 553 38 Comp Gen 352
★0103—Active Enlisted and/or Warrant Officer Service for Members In Basic Pay Grades O-1E, O-2E, or O-3E		
	010301.A	37 U.S.C. 203(d)
	010301.B	38 Comp Gen 68 10 U.S.C. 2114(b) 37 U.S.C. 232(a), as amended by Public Law 85-422, 72 Stat. 122, May 19, 1958
	010301.C	Public Law 96-343, Sep 8, 1980
	010301.D	Public Law 98-94,

	010302.B	Sep 24, 1983 32 U.S.C. 709
0104—Computations of Creditable Service	5 U.S.C. 5505	38 Comp Gen 824 37 Comp Gen 455 MPAC Action 1001, Feb 23, 1966
	Table 1-2	
	Rule 1	55 Comp Gen 1244
	Rule 2, 3, 5, 6, 8, and 9	10 U.S.C. 972
	Note 2	38 Comp Gen 553
	010401	5 U.S.C. 5505 38 Comp Gen 824 37 Comp Gen 455 MPAC Action 1001, Feb 23, 1966
★(IC 27-00)	010401.A	10 U.S.C. 513 10 U.S.C. 12103(b), (d) 37 U.S.C. 205(e)
	010402	5 U.S.C. 5505 38 Comp Gen 824 37 Comp Gen 455 MPAC Action 1001, Feb 23, 1966