

The Delayed Enlistment Program (DEP)

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It is unlikely that you could walk into a [recruiter's office](#), sign some papers and ship off to [basic training](#) immediately. In general, the recruiting commands must reserve a slot for the recruit at basic training. Usually, such slots are booked up months in advance.

That's where the Delayed Enlistment Program (sometimes called the Delayed Entry Program) comes in. It is also called the Future Soldiers Program in the Army.

Individuals going onto active duty, enlist first into the DEP. This is an actual enlistment into the inactive reserves, with an agreement to report for active duty (to ship out to boot camp) at a specific time in the future. Under current regulations, one can remain in the DEP for up to 365 days.

A recruit signs a DEP enlistment contract that is legally binding. It says that you must report at the place and time stated or face being ordered to active duty as a Reservist.

While in the DEP or Future Soldiers Program, you will be encouraged to join in activities at the local recruiting office including meetings and classes. Recruits may decide on the DEP so they can prepare to meet the height and weight standards or graduate from high school.

Can You Legally Get Out of a DEP Contract?

If an applicant who signed a DEP contract failed to show up to ship out to basic training, the military could order the individual to active duty. (Technically, but this HAS happened and local recruiting offices are typically very reluctant to attempt any such action, largely because the potential recruit has received no benefits from the local recruiter station or that military branch. ~ insert by Don Chapin)

If the individual refused, the military could legally court martial the individual. In reality, this never happens. It is the [Department of Defense](#)'s policy that anyone can request to be released from the Delayed Enlistment Program, but the request must be approved by the Secretary of that branch of service.

The policy is included in DOD Directive 1332.14.

However, it makes the recruiter very upset to have wasted time and paperwork on processing the person. Because of this, some frustrated recruiters (and even some recruiting station commanders) have been known to use unethical tactics to keep an applicant from dropping out of the DEP.

Consequences of a DEP Entry-Level Separation Discharge

A DEP discharge is officially known as an "Entry Level Separation" (ELS). An ELS is not characterized. It's not "Honorable," it's not "General," it's not "Under Other Than Honorable," it's not anything. DEP Discharges do not result in an RE (Reenlistment Eligibility) Code that will prevent joining the same (or another) military service in the future.

A DEP discharge has one negative effect: If you are discharged from the DEP, and later want to enlist in that same service, you will require a waiver. While waivers are usually granted, you may lose certain benefits, such as the ability to choose what job you want, or what date you will ship out to basic training.

A discharge from the DEP has no negative effects if you later wish to enlist in a different military service—only if you wish to enlist in the same service that discharged you from the DEP.

DEP Discharge and Citizenship

There is a federal law ([8 USC, Section 1426](#)), which states that if an immigrant alien, living in the United States, refuses military service on the basis of not being a U.S. Citizen, they forever relinquish their right to become a U.S. Citizen. The Navy requires non-citizen recruits entering the DEP to acknowledge this law in writing. If they drop out of the DEP for any other reason than not being a citizen (for example, to join a different service, to attend college, or even just because they changed their minds), this law doesn't apply.

DEP Discharge Procedures

All requests for discharge from the DEP need to be in writing. (technically, but stating *you are declining active duty* for one or more of the reasons included below, or even not showing up on departure date/time, as mentioned above, is also effective ~ insert by Don Chapin) The letter must clearly state that you are requesting to be discharged from the DEP, and state your reasons why.

While one can use any reason at all, it's best to use one of the reasons that are specifically mentioned in the recruiting regulations.

These reasons are:

- Apathy or Personal Problems
- [Failure to Graduate High School](#)
- Hardship
- Dependency

- Marriageow any of this
- [Medical disqualification](#) or psychiatric disorder (Note: Using this reason may preclude later enlistment if you change your mind, or enlistment in a different service)
- [Pregnancy](#)
- **Acceptance of scholarship or pursuit of higher education** (insert by Don Chapin: On Sep 28, 1956, I did not know any of this and, thinking I had no “out” from a military “obligation,” tossed away a NY State scholarship to join the USAF and depart for basic training. While I later qualified for the USAF AECP program and picked up two engineering degrees with USAF sponsorship, that probably took a bit more work on my part than if I’d taken advantage of that scholarship. :-)
- Enrolled in training to become or receive appointment as an ordained minister
- Determined no longer qualified for an option for which enlisted in the DEP and declines alternate.
- Enlistment misunderstanding
- Enlistment in another service(s)
- Erroneous enlistment (generally by yourself*or by the recruiter... and DO NOT be afraid of putting the blame on the recruiter, as they OFTEN are not a paragon of honesty, themselves! insert by Don Chapin) (*Note: Using this reason may preclude later enlistment if you change your mind, or enlistment in a different service)
- Conscientious objector (Note: Using this reason may preclude later enlistment if you change your mind, or enlistment in a different service)

Recruiters themselves do not have the authority to discharge individuals from the DEP. Only Recruiting Commanders have that authority. So, your letter needs to be addressed to the Recruiting Commander (but you can give the letter to your recruiter). Your recruiter is required by regulation to forward the letter to his/her commander.

The Recruiter is required to try and talk you out of it. This is known as re-selling. However, regulations prohibit the recruiter from using threats such as "You'll go to jail." Recruiters who are caught using such tactics can be punished under the [Uniform Code of Military Justice \(UCMJ\)](#).

Some recruiting stations have those requesting a DEP discharge meet with the recruiting commander or a discharge board, where you will be pressured to change your mind. Such meetings are not mandatory.

DEP Discharge Processing

Most DEP discharge requests should take no more than about 30 days to process. In the few cases where the request is delayed or disapproved, you will normally be discharged from the DEP automatically anyway, shortly after the shipping date arrives and you fail to ship to basic training. You cannot be in the DEP for longer than 365 days, so at the end of a year, you are automatically discharged from the DEP, even if the service fails to do a voluntary discharge, or fails to discharge after the shipping date has come and gone.

Your DEP discharge request approval or denial should be in writing. You will not receive a DD Form 214 (record of discharge) for a discharge from the DEP. You will instead receive a simple, short letter stating you have been discharged from the DEP Program.

While the DEP is technically inactive reserves, it does not count as military service, because time in the DEP is unpaid (you do not receive military pay while in the DEP). Because it does not fall into the legal definition of military service, you can safely (and legally) answer "no" when asked if you've ever been in the military on any government or employment forms. To qualify as military service, you must be entitled to pay, and a person in the DEP is not entitled to receive pay.

Recruiter Ethics

So, what should you do if a recruiter (or even a recruiting commander) uses unethical tactics to try and intimidate you, or to delay your DEP discharge request? First and foremost, you should use the chain of command. If it's the recruiter who is trying to intimidate you or unreasonably delaying the process, request the name and phone number of his/her supervisor. Keep doing that (up the chain) until you get a satisfactory response.

It may help to let them know that you are perfectly willing to make an official written complaint to the appropriate "Inspector Generals" (IG).

The Recruiting "IG" officials are responsible for investigating allegations of recruiter misconduct, or violations of recruiting regulations and policies. The Recruiting IG addresses are:

Reporting Unethical Behavior

- [Air Force. Inspector General](#), Air Force Recruiting Service, HQ AFRS/CVI, Randolph AFB, TX 78150
- [Army. Inspector General](#), U.S. Army Recruiting, USAREC, Fort Knox, KY 40121
- [Navy. Inspector General](#), COMNAVCRUITCOM Code 001, 5722 Integrity Dr, Bldg 768, Millington, TN 38054
- [Marine Corps \(East Coast\). Commanding General](#), Marine Corps Recruit Depot (MCRD), Parris Island, SC 29905
- [Marine Corps \(West Coast\). Commanding General](#), Marine Corps Recruit Depot (MCRD), San Diego, CA 92140
- **Contacting Your Congressman.** If the recruiter, or recruiting commander uses unethical tactics, such as delaying the DEP discharge request process, then congressional intervention can be very helpful.

Reserve and National Guard Enlistments

The Reserves and the National Guard do not have a Delayed Enlistment Program. The very second you take the oath, and sign the enlistment contract, you are in the Reserves (or Guard), you are assigned to a specific manpower slot in a specific unit, and you are entitled to receive

pay for weekend drills (in the active duty DEP, there is no entitlement to pay), even if you have not been to basic training, and/or job-training school.

This means if you change your mind, the discharge process is entirely out of the hands of the recruiting command, and lies in the hands of the commanding officer of the Reserve or National Guard unit you are assigned to. This makes the discharge process much more complicated. An active duty DEP-discharge is relatively simple, handled by the recruiting command, and requires little paperwork. A discharge from the Reserves or National Guard requires a full-blown discharge package initiated by the unit commander for the unit you're assigned to, even if you've not been to basic training, nor attended any paid drills.

Your first step should be to make a request for discharge, in writing, addressed to your commanding officer. Your commander will consider your request, and either approve it (by initiating discharge action) or disapprove it. If your commander disapproves your discharge request, you then have two options: (1) You can report to ship out to basic training on the date indicated on your enlistment contract or orders, or (2) you can simply refuse to ship out to basic training.

If you refuse to ship out for basic training, this ties the commander's hands. For the [Army National Guard](#) and Army Reserves, under current regulations (Army Regulation 630-10), the only option the commander has is to process you for discharge.

The discharge must be characterized as an "Entry Level Separation," for "Performance and Conduct." An Entry Level Separation is not characterized. That means it's not "honorable," it's not "general," and it's not "Other than Honorable." It has no characterization at all.

So, how is this different from an active duty DEP Discharge (other than it's more complicated)? Well, an [active duty discharge](#) from the DEP is not really a "discharge," because it creates no military record. A person discharged from the active duty DEP can legally and morally state on any form that he/she has not served in the military. However, members of the Guard and Reserve, are entitled to drill pay, even if they haven't been to basic training, which means they were in the military, and a military record is created, and filed at the National Military Personnel Records Center, in St. Louis.

That means, if you are ever asked if you have ever served in the military, you must (legally and morally) answer yes. This could possibly affect future employment opportunities (some employers may put great weight on whether or not you quit the military, and other employers may not care, at all). It will also definitely affect your eligibility to join any branch of the military in the future.