

**Milper Message Number  
12-158**

**Proponent  
AHRC-EPF-R**

**Title  
ENLISTED INVOLUNTARY EARLY SEPARATION PROGRAM**

**...Issued: [25 May 12]...**

---

- A. ALARACT 142/2012, DAPE-MPE, 24 MAY 12, SUBJECT: ENLISTED INVOLUNTARY EARLY SEPARATION PROGRAM.
- B. ALARACT 141/2012, DAPE-MPE, 24 MAY 12, SUBJECT: DEPLOYMENT EXTENSION INCENTIVE PAY (DEIP) PROGRAM.
- C. MILPER MESSAGE 09-279, AHRC-EPF-M, NOV 09, SUBJECT: ENLISTED INVOLUNTARY EARLY SEPARATION PROGRAM.
- D. MILPER MESSAGE11-004, AHRC-EPO-P, JAN 11, SUBJECT: ACTIVE ARMY (AA) STOP LOSS/STOP MOVEMENT PROGRAM FOR UNITS SCHEDULED TO DEPLOY OCONUS IN SUPPORT OF OPERATION IRAQI FREEDOM (OIF), OPERATION ENDURING FREEDOM (OEF), AND OPERATION NEW DAWN (OND).
- E. SECTION 1169, TITLE 10, UNITED STATES CODE (10 USC § 1169).
- F. SECTION 1171, TITLE 10, UNITED STATES CODE (10 USC §1171).
- G. AR 635-200, ACTIVE DUTY ENLISTED ADMINISTRATIVE SEPARATIONS, 6 JUN 05, RAPID ACTION REVISION (RAR), 6 SEP 11.
- H. AR 40-501, STANDARDS OF MEDICAL FITNESS, 14 DEC 07, RAR, 4 AUG 11.
- I. AR 635-5-1, SEPARATION PROGRAM DESIGNATOR CODES, 10 DEC 07, RAR, 4 AUG 11.
- J. DODI 1332.14, ENLISTED ADMINISTRATIVE SEPARATIONS, 28 AUG 08, INCORPORATING CHANGE 3, 30 SEP 11.
- K. ASA (M&RA) MEMORANDUM, SAMR, SUBJECT: ENLISTED INVOLUNTARY EARLY SEPARATIONS PROGRAM POLICY MEMORANDUM, 09 MAY 12, [HTTP://WWW.ARMYG1.ARMY.MIL](http://www.armyg1.army.mil).
1. THIS POLICY IS OPEN-ENDED AND A TERMINATION DATE CANNOT BE ESTABLISHED AT THIS TIME.
2. AS PART OF THE FY12 NATIONAL DEFENSE AUTHORIZATION ACT (NDAA), CONGRESS MODIFIED 10 USC § 1171 AUTHORIZING AN EARLY DISCHARGE UP TO 12 MONTHS (FORMERLY 3 MONTHS) UNDER REGULATIONS PRESCRIBED BY THE SECRETARY OF THE ARMY. IF SEPARATED UNDER THESE PROVISIONS, IT WOULD NOT IMPACT ANY RIGHT, PRIVILEGE, OR

BENEFIT THAT A MEMBER WOULD HAVE HAD IF HE OR SHE COMPLETED HIS OR HER ENLISTMENT OR EXTENDED ENLISTMENT, EXCEPT THAT THE MEMBER IS NOT ENTITLED TO PAY AND ALLOWANCES FOR THE PERIOD NOT SERVED.

3. EFFECTIVE IMMEDIATELY, SOLDIERS ELECTING NOT TO REENLIST OR EXTEND TO DEPLOY WITH THEIR UNIT ARE SUBJECT TO INVOLUNTARY EARLY SEPARATION ACCORDING TO THE FOLLOWING RULES:

A. SOLDIERS WHO WILL HAVE AT LEAST SIX MONTHS REMAINING IN SERVICE PRIOR TO THEIR ETS AS OF THEIR UNIT'S LATEST ARRIVAL DATE (LAD) WILL DEPLOY WITH THE UNIT (ETS > LAD+6 MONTHS). THESE SOLDIERS WILL RETURN TO HOME STATION AT LEAST 90 DAYS PRIOR TO ETS FOR TRANSITION PROCESSING AND WILL SEPARATE ON THEIR ETS DATE.

B. SOLDIERS WHO WILL HAVE LESS THAN SIX MONTHS REMAINING IN SERVICE ON THEIR UNIT'S LAD WILL NOT DEPLOY WITH THE UNIT (ETS < LAD+6 MONTHS). THESE SOLDIERS WILL BE INVOLUNTARILY SEPARATED FROM THE ARMY UP TO 12 MONTHS PRIOR TO THEIR CONTRACTUAL ETS DATE IN THREE PHASES. UNDER NO CIRCUMSTANCES WILL HRC ADJUST CONTRACTUAL ETS DATES MORE THAN 12 MONTHS.

4. APPLICABILITY. THIS POLICY APPLIES TO SOLDIERS WHO MEET ALL OF THE FOLLOWING REQUIREMENTS. THESE REQUIREMENTS ARE FIRM; NO EXCEPTIONS ARE AUTHORIZED OTHER THAN THOSE LISTED IN PARAGRAPHS 7 AND 8 BELOW.

A. REGULAR ARMY, ENLISTED SOLDIERS WHO:

(1) WILL HAVE AT LEAST 36 MONTHS OF ACTIVE DUTY SERVICE BUT NO MORE THAN 71 MONTHS OF TOTAL SERVICE (ACTIVE AND RESERVE) AT THE TIME OF SEPARATION FROM ACTIVE DUTY.

(2) ARE ASSIGNED TO A UNIT DEPLOYING IN SUPPORT OF A DECLARED CONTINGENCY OPERATION.

(3) HAVE A CONTRACTUAL ETS THAT OCCURS DURING THE FIRST 6 MONTHS OF THE SCHEDULED DEPLOYMENT FOR PHASES 1 AND 2 (LAD THROUGH LAD+179) OR HAVE A CONTRACTUAL ETS THAT OCCURS BETWEEN LAD-180 AND LAD+179 FOR PHASE 3 THAT ELECT NOT TO REENLIST OR EXTEND.

B. SOLDIERS NOT ELIGIBLE FOR SEPARATION UNDER THIS POLICY ARE THOSE WHO:

(1) WILL HAVE LESS THAN 36 MONTHS OF ACTIVE DUTY SERVICE, OR MORE THAN 71 MONTHS OF TOTAL SERVICE (ACTIVE AND RESERVE) AT THE TIME OF SEPARATION FROM ACTIVE DUTY.

(2) ARE NOT MEDICALLY CLEARED FOR SEPARATION.

(3) ARE PENDING VOLUNTARY OR INVOLUNTARY ADMINISTRATIVE SEPARATION UNDER OTHER PROVISIONS OF AR 635-200 OR OTHER SEPARATION REGULATIONS.

(4) ARE PENDING TRIAL BY COURT-MARTIAL OR ARE BEING INVESTIGATED FOR OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

5. INITIAL HRC IMPLEMENTATION POLICY AND PROCEDURES.

A. SOLDIERS ASSIGNED TO DEPLOYING UNITS AS STATED ABOVE ARE CONSIDERED TO HAVE AN IMPOSED SERVICE REMAINING REQUIREMENT (SRR) OF DEPLOYMENT+90 DAYS. SOLDIERS SUBJECT TO INVOLUNTARY SEPARATION AS OUTLINED IN PARAGRAPH 3 AND 4 ABOVE, WHO ARE ASSIGNED TO UNITS IDENTIFIED FOR DEPLOYMENT, WILL HAVE THEIR IMMEDIATE REENLISTMENT PROHIBITION (IMREPR) CODE CHANGED TO "11" UPON UNIT UIC INFORMATION AND DEPLOYMENT DATES REPORTED IAW MILPER MESSAGE 11-004, PARAGRAPH 5. THIS CODE IS NOT INTENDED TO PROHIBIT REENLISTMENT OR EXTENSION, RATHER IDENTIFY THOSE SOLDIERS WHO HAVE AN IMPOSED SRR AS STATED ABOVE. SUBSEQUENT ETS DATE AND IMREPR CODE ADJUSTMENTS WILL BE SUBJECT TO THE PROVISIONS OUTLINED IN PARAGRAPH 5B BELOW.

B. ETS DATE ADJUSTMENTS WILL BE EXECUTED ALONG WITH THE SOLDIER'S IMREPR CODE CHANGE TO "9T" FOR SOLDIERS FAILING TO TAKE ACTION TO SATISFY THIS SRR WITHIN 45 DAYS OF NOTIFICATION.

C. THE MINIMUM PERIOD OF 90 DAYS FOR TRANSITION ACTIVITIES WILL NOT INCLUDE TRANSITION LEAVE. ANY PERIOD OF TRANSITION LEAVE WILL BE ADDITIVE TO THE 90-DAY PERIOD. COMMANDERS HAVE THE AUTHORITY TO MAKE THE REQUIRED ETS ADJUSTMENTS TO ENSURE SOLDIERS HAVE THE REQUIRED 90 DAYS FOR TRANSITION ACTIVITIES PLUS ANY PERIOD OF TRANSITION LEAVE.

## 6. POLICY.

A. SOLDIERS SUBJECT TO INVOLUNTARY SEPARATION AS OUTLINED IN PARAGRAPH 3 ABOVE WILL BE SUBJECT TO INVOLUNTARY SEPARATION AND HAVE THEIR ETS DATES ADJUSTED AS FOLLOWS:

### (1) PHASE 1:

(A) SOLDIERS WHO MEET THE CRITERIA IN PARAGRAPH 3 AND 4 ABOVE WHOSE LAD IS ON OR BEFORE 31 JANUARY 2013 WILL HAVE THEIR ETS CHANGED UP TO 90 DAYS BY HRC.

(B) AS AN EXCEPTION, EFFECTIVE 01 JUNE 2012, COLONEL (O-6) LEVEL COMMANDERS MAY APPROVE AN ADDITIONAL 90-DAY ADJUSTMENT TO SOLDIERS' ETS (FOR A TOTAL OF 180 DAYS PRIOR TO CONTRACTUAL ETS DATE) SO LONG AS SOLDIERS ARE AFFORDED A MINIMUM OF 90 DAYS TO TRANSITION.

(C) THE MINIMUM PERIOD OF 90 DAYS PROVIDED FOR TRANSITION ACTIVITIES WILL NOT INCLUDE TRANSITION LEAVE IAW PARAGRAPH 4C ABOVE.

### (2) PHASE 2:

(A) SOLDIERS WHO MEET THE CRITERIA IN PARAGRAPH 3 AND 4 ABOVE WHOSE LAD IS BETWEEN 01 FEBRUARY THROUGH 31 MAY 2013 WILL HAVE THEIR ETS CHANGED UP TO 270 DAYS (9 MONTHS) PRIOR TO THEIR CONTRACTUAL ETS DATE.

(B) NOT ALL SOLDIERS WILL SEPARATE 9 MONTHS EARLY. SOLDIERS' ETS WILL BE ADJUSTED FOR THE LENGTH OF TIME REQUIRED TO ENSURE SEPARATION WILL BE AS CLOSE TO LAD -90 AS POSSIBLE.

(C) THE MINIMUM PERIOD OF 90 DAYS PROVIDED FOR TRANSITION ACTIVITIES WILL NOT INCLUDE TRANSITION LEAVE IAW PARAGRAPH 4C ABOVE.

### (3) PHASE 3:

(A) SOLDIERS WHO MEET THE CRITERIA IN PARAGRAPH 3 AND 4 ABOVE WHOSE LAD IS ON OR AFTER 01 JUNE 2013 WILL HAVE THEIR ETS CHANGED UP TO 365 DAYS (12 MONTHS) PRIOR TO THEIR CONTRACTUAL ETS DATE.

(B) NOT ALL SOLDIERS WILL SEPARATE 12 MONTHS EARLY. SOLDIERS' ETS WILL BE ADJUSTED FOR THE LENGTH OF TIME REQUIRED TO ENSURE SEPARATION WILL BE AS CLOSE TO LAD - 180 AS POSSIBLE.

(C) THE MINIMUM PERIOD OF 90 DAYS PROVIDED FOR TRANSITION ACTIVITIES WILL NOT INCLUDE TRANSITION LEAVE IAW PARAGRAPH 4C ABOVE.

B. SOLDIERS AFFECTED BY THIS POLICY WILL BE NOTIFIED OF EARLY SEPARATION THROUGH APPROPRIATE CHANNELS BY COMMANDERS WITH SPECIAL COURT-MARTIAL CONVENING AUTHORITY (SPCMCA). THE COMMANDER'S CAREER COUNSELOR IS RESPONSIBLE TO FURNISH A REPORT VIA THE RETAIN SYSTEM IDENTIFYING SOLDIERS IDENTIFIED FOR EARLY SEPARATION. ADDITIONAL GUIDANCE OUTLINING CAREER COUNSELOR RESPONSIBILITIES WITH A SAMPLE COUNSELING FORM WILL BE PUBLISHED VIA RETAIN MESSAGE. NOTIFICATION WILL INCLUDE THE ADJUSTED SEPARATION DATE IAW PARAGRAPH 5B.

## 7. SEPARATION GUIDANCE.

A. SEPARATIONS UNDER THIS POLICY WILL BE ADMINISTERED UNDER THE PROVISIONS OF AR 635-200, CHAPTER 16-7. FOR PURPOSES OF POST-SERVICE BENEFITS, INVOLUNTARY EARLY SEPARATION PRESCRIBED BY THIS POLICY IS CONSIDERED TO BE FOR THE CONVENIENCE OF THE GOVERNMENT. IT THEREFORE DOES NOT AFFECT ANY RIGHT, PRIVILEGE, OR BENEFIT THAT A SOLDIER IS OTHERWISE ENTITLED HAD HE COMPLETED HIS ENLISTMENT OR EXTENDED ENLISTMENT, EXCEPT THAT THE SOLDIER IS NOT ENTITLED TO PAY AND ALLOWANCES FOR THE PERIOD NOT SERVED.

B. TRANSITION LEAVE IS AUTHORIZED FOR SOLDIERS SUBJECT TO INVOLUNTARY SEPARATION UNDER THIS POLICY. TO ALIGN WITH NEW TRANSITION SERVICE REQUIREMENTS, SOLDIERS SHOULD BE ENCOURAGED AND AFFORDED THE MAXIMUM AMOUNT OF TIME TO SEEK TRANSITION ASSISTANCE THROUGH THE ARMY CAREER AND ALUMNI PROGRAM (ACAP). REGARDLESS OF CIRCUMSTANCES, COMMANDERS WILL AFFORD SOLDIERS SUFFICIENT TIME, BUT NOT LESS THAN 90 DAYS, TO FOCUS ON TRANSITION ACTIVITIES TO ENSURE SOLDIERS AND THEIR FAMILIES ARE PREPARED FOR THE TRANSITION FROM ACTIVE SERVICE. COMMANDERS MUST ENSURE SOLDIERS BEGIN THE TRANSITION PREPARATION AS SOON AFTER NOTIFICATION AS POSSIBLE. REGARDLESS OF THE CIRCUMSTANCES, COMMANDERS MUST PROVIDE SOLDIERS A MINIMUM OF 90 DAYS FROM DATE OF NOTIFICATION TO THE ADJUSTED ETS DATE. IF THAT IS NOT POSSIBLE, SOLDIERS WILL SEPARATE ON THEIR CONTRACTUAL ETS DATE.

C. SOLDIERS AFFECTED BY THIS POLICY MUST UNDERGO A SEPARATION HEALTH ASSESSMENT (AR 40-501) AND COMPLETE PRE-SEPARATION COUNSELING PRIOR TO SEPARATION.

D. REASON FOR SEPARATION TO BE ENTERED ON THE DD FORM 214 IS "NON-RETENTION ON ACTIVE DUTY", AND SEPARATION PROGRAM DESIGNATOR CODES ARE JGH FOR DISCHARGE AND LGH FOR SERVICE INITIATED RELEASE OR TRANSFER TO ANOTHER COMPONENT (AR 635-5-1). REENTRY ELIGIBILITY CODE IS RE-1 (AR 601-210).

E. SOLDIERS WITH AN ADJUSTED ETS DATE CANNOT BE FORCED TO SELL BACK UNUSED LEAVE. DEPENDING ON LEAVE ACCRUED AND A SOLDIER'S ELECTION TO TAKE TRANSITION LEAVE, COMMANDERS HAVE THE FLEXIBILITY TO ADJUST THE SOLDIER'S ETS DATE BY ONE

TO THREE MONTHS BUT NEVER BEYOND THE SOLDIER'S CONTRACTUAL ETS DATE.

F. UNEARNED PORTIONS OF ENLISTMENT AND REENLISTMENT BONUSES WILL NOT BE RECOUPED.

G. INVOLUNTARY SEPARATION PAY IS NOT AUTHORIZED.

8. EXCEPTIONS.

A. COMMANDERS WITH SPCMCA MAY DISAPPROVE SEPARATIONS UNDER THIS PROGRAM FOR COMPASSIONATE REASONS OR OPERATIONAL NECESSITY. THIS AUTHORITY CANNOT BE FURTHER DELEGATED. IN SUCH CASES, THE SOLDIER WILL BE SEPARATED ON HIS OR HER CONTRACTUAL ETS DATE.

B. IN THE EVENT THAT A UNIT SCHEDULED TO DEPLOY IN SUPPORT OF A DECLARED CONTINGENCY OPERATION RECEIVES A CHANGE OF MISSION THAT DELETES THE DEPLOYMENT ORDER OR ALTERS THE LAD, THE FOLLOWING GUIDANCE IS PROVIDED:

(1) SOLDIERS WHO HAVE BEEN NOTIFIED OF AN ADJUSTED ETS DATE AND ARE 90 DAYS OR LESS FROM THEIR ADJUSTED DATE OF SEPARATION WILL CONTINUE TO OUT-PROCESS AND SEPARATE ON THEIR ADJUSTED ETS DATE.

(2) IN ALL OTHER CIRCUMSTANCES, COMMANDERS WITH SPCMCA CAN ELECT TO ALLOW SOLDIERS TO SEPARATE ON THEIR ADJUSTED ETS DATE OR REVERT BACK TO THEIR CONTRACTUAL ETS DATE BASED ON UNIT REQUIREMENTS AND SOLDIER INPUT.

(3) IF THE UNIT'S LAD IS ADJUSTED SO THAT THE UNIT DEPLOYS OTHER THAN ORIGINALLY ANTICIPATED:

(A) SOLDIERS NOT PREVIOUSLY SUBJECT TO EARLY SEPARATION UNDER THIS POLICY WILL BE IDENTIFIED IAW PARAGRAPH 4A ABOVE AND NOTIFIED IAW PARAGRAPH 5B ABOVE. THESE SOLDIERS WILL HAVE THEIR CONTRACTUAL ETS DATE ADJUSTED ONLY IF THE SOLDIER CAN BE AFFORDED A MINIMUM OF 90 DAYS FROM DATE OF NOTIFICATION TO THE ADJUSTED ETS DATE. IF THAT IS NOT POSSIBLE, SOLDIER WILL SEPARATE ON THEIR CONTRACTUAL ETS DATE.

(B) SOLDIERS WHO ALREADY HAD THEIR ETS DATES ADJUSTED WILL CONTINUE TO PROCESS FOR SEPARATION AS SCHEDULED. HRC WILL NOT REVERT SOLDIERS' ETS DATES TO THEIR CONTRACTUAL ETS UNLESS AN EXCEPTION TO POLICY HAS BEEN APPROVED BY THE SPCMCA EXCEPT AS OUTLINED IN PARA 9 BELOW.

9. REENLISTMENT OR EXTENSION. SOLDIERS WHOSE ETS DATES HAVE BEEN ADJUSTED AND IMREPR CODES CHANGED TO "9T" WHO WISH TO REENLIST OR EXTEND MUST REQUEST AN EXCEPTION TO POLICY THROUGH THE COMMANDER EXERCISING SPCMCA. IF APPROVED, SOLDIERS' ETS DATES MUST BE REVERTED BACK TO THEIR CONTRACTUAL ETS AND THE "9T" IMREPR CODE REMOVED UPON SOLDIERS REENLISTING OR EXTENDING. A SEPARATE RETAIN MESSAGE WILL BE RELEASED TO CAREER COUNSELORS OUTLINING THE SPECIFIC PROCEDURES.

10. FOR QUESTIONS CONCERNING SEPARATIONS, CONTACT HRC AT 502-613-5504 OR DSN 983-5504. FOR QUESTIONS CONCERNING REENLISTMENT OR EXTENSION, CONTACT THE UNIT OR INSTALLATION CAREER COUNSELOR.

---