

ALARACT 340/2013

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THIS MESSAGE HAS BEEN TRANSMITTED BY USAITA ON BEHALF OF//DAPE-MPE//

SUBJECT: ENLISTED VOLUNTARY EARLY SEPARATION PROGRAM

1. REFERENCES.

A. SECTION 1143, TITLE 10, UNITED STATES CODE (10 USC 1143)

B. SECTION 1144, TITLE 10, UNITED STATES CODE (10 USC 1144)

C. SECTION 1169, TITLE 10, UNITED STATES CODE (10 USC 1169).

D. SECTION 1171, TITLE 10, UNITED STATES CODE (10 USC 1171).

E. TITLE 38, UNITED STATES CODE, CHAPTER 30.

F. TITLE 38, UNITED STATES CODE, CHAPTER 33.

G. DOD INSTRUCTION (DODI) 1332.14, ENLISTED ADMINISTRATIVE SEPARATIONS, INCORPORATING CHANGE 3, 30 SEP 11.

H. DOD FINANCIAL MANAGEMENT REGULATION (FMR), VOLUME 7A, CHAPTER 2, MAR 11.

I. UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS) POLICY, REPAYMENT OF UNEARNED PORTIONS OF BONUSES, SPECIAL PAY AND EDUCATIONAL BENEFITS AND STIPENDS, 21 MAY 08.

J. UNDER SECRETARY OF DEFENSE DIRECTIVE-TYPE MEMORANDUM 12-007, 21 NOV 12, SUBJECT: IMPLEMENTATION OF MANDATORY TRANSITION ASSISTANCE PROGRAM PARTICIPATION FOR ELIGIBLE SERVICE MEMBERS.

K. VETERANS' EMPLOYMENT INITIATIVE DOD/VA JOINT TASK FORCE TRANSITION GPS PILOT REPORT, 24 SEP 12.

L. ARMY REGULATION 40-501, STANDARDS OF MEDICAL FITNESS, 14 DEC 07, RAR, 4 AUG 11.

M. ARMY REGULATION 601-210, ACTIVE AND RESERVE COMPONENTS ENLISTMENT PROGRAM, 8 FEB 11, RAR 12 MAR 13.

N. ARMY REGULATION 601-280, ARMY RETENTION PROGRAM, 31 JAN 06, RAR 15 SEP 11.

O. ARMY REGULATION 635-5-1, SEPARATION PROGRAM DESIGNATOR CODES, 10 DEC 07, RAR 4 AUG 11.

P. ARMY REGULATION (AR) 635-200, ACTIVE DUTY ENLISTED ADMINISTRATIVE SEPARATIONS, 6 JUN 05, RAPID ACTION REVISION (RAR), 6 SEP 11.

Q. HQDA EXORD 054-12, ISO ARMY TRANSITION, 29 DEC 11.

R. ASSISTANT SECRETARY OF THE ARMY FOR MANPOWER AND RESERVE AFFAIRS (ASA (M&RA)) MEMORANDUM, SAMR, SUBJECT: ENLISTED VOLUNTARY EARLY SEPARATION PROGRAM MEMORANDUM, 03 DEC 13.

S. ALARACT 259/2012, SUBJECT: PRECISION RETENTION, COMMANDER'S ALLOCATION PROCESS (CAP), 21 SEP 12.

2. BACKGROUND AND PURPOSE.

A. AS PART OF THE NATIONAL DEFENSE AUTHORIZATION ACT (NDAA) FOR FISCAL YEAR 2012, CONGRESS AMENDED 10 USC SECTION 1171 AUTHORIZING AN EARLY DISCHARGE OF REGULAR ARMY ENLISTED SOLDIERS UP TO 12 MONTHS (FORMERLY THREE MONTHS) UNDER REGULATIONS PRESCRIBED BY THE SECRETARY OF THE ARMY WITHOUT IMPACT TO ANY RIGHT, PRIVILEGE, OR BENEFIT THAT A MEMBER WOULD HAVE HAD IF HE OR SHE HAD COMPLETED HIS OR HER ENLISTMENT OR EXTENDED ENLISTMENT, EXCEPT THAT THE MEMBER IS NOT ENTITLED TO PAY AND ALLOWANCES FOR PERIODS NOT SERVED. THE ARMY IMPLEMENTED THE ABOVE AUTHORITY ON AN INVOLUNTARY BASIS ON 1 JUNE 2012 IN A TARGETED MANNER TO STABILIZE PERSONNEL IN DEPLOYING UNITS.

B. THE PURPOSE OF THIS ALARACT MESSAGE IS TO ANNOUNCE THE ESTABLISHMENT OF THE ARMY'S ENLISTED VOLUNTARY EARLY SEPARATION PROGRAM, APPROVED BY THE ASA (M&RA) ON 03 DECEMBER 2013.

3. POLICY. EFFECTIVE 1 JANUARY 2014, THE ENLISTED VOLUNTARY EARLY SEPARATION PROGRAM AUTHORIZES COMMANDERS EXERCISING SPECIAL COURT MARTIAL CONVENING AUTHORITY (SPCMCA), OR HIGHER IF WITHHELD BY A HIGHER COMMANDER, TO APPROVE VOLUNTARY EARLY SEPARATION PRIOR TO CONTRACTUAL ETS FOR REGULAR ARMY ENLISTED SOLDIERS IN TWO CATEGORIES AND FOR THE PERIODS OF TIME LISTED IN PARAGRAPHS 3.A. AND 3.B. BELOW. THE FIRST CATEGORY INCLUDES SOLDIERS APPROACHING THEIR CONTRACTUAL ETS WHO HAVE CHOSEN NOT TO REENLIST OR EXTEND AND REQUEST VOLUNTARY EARLY SEPARATION FOR THE PURPOSE OF ACCEPTING EMPLOYMENT. THE SECOND CATEGORY INCLUDES THOSE SOLDIERS DENIED REENLISTMENT BY HEADQUARTERS, DEPARTMENT OF THE ARMY (HQDA) UNDER THE COMMANDER'S ALLOCATION PROCESS (CAP) IAW REFERENCE 1.S. ABOVE AND WHO VOLUNTARILY REQUEST EARLY SEPARATION.

A. EARLY SEPARATION TO ACCEPT EMPLOYMENT. REGULAR ARMY ENLISTED SOLDIERS WHO ELECT NOT TO REENLIST OR EXTEND AND VOLUNTARILY REQUEST EARLY SEPARATION UP TO 180 DAYS PRIOR TO CONTRACTUAL ETS FOR THE PURPOSE OF ACCEPTING EMPLOYMENT.

(1) TO BE ELIGIBLE, SOLDIERS MUST:

(A) NOT BE MISSION ESSENTIAL TO THEIR ASSIGNED ORGANIZATIONS, AS DETERMINED BY THE SPCMCA.

(B) PROVIDE A WRITTEN STATEMENT TO THE APPROVAL AUTHORITY INDICATING THE JOB OFFERED, WHETHER IT IS FULL TIME OR PART TIME, WHETHER COMPENSATION IS SALARIED OR HOURLY, AND THE AMOUNT OF COMPENSATION AS VERIFIED BY DOCUMENTATION FROM THE EMPLOYER. THE STATEMENT MUST ALSO INCLUDE THE ANTICIPATED START DATE FOR EMPLOYMENT, WHICH MUST FALL WITHIN THE 180 DAY PERIOD PRECEDING THE SOLDIER'S CONTRACTUAL ETS. THE STATEMENT SHOULD OUTLINE HOW EARLY SEPARATION FACILITATES ACCEPTANCE OF THE JOB OFFERED AND HOW A DELAY WOULD CAUSE A HARDSHIP.

(2) THE EMPLOYMENT MUST BE FULL TIME AND SHOULD MEET THE SOLDIER'S INCOME REQUIREMENTS TO SUPPORT EXPENSES LISTED AS PART OF HIS OR HER INTEGRATED 12 MONTH POST SEPARATION BUDGET COMPLETED AS PART OF THE ARMY CAREER AND ALUMNI PROGRAM (ACAP) PROCESS. IN INSTANCES WHERE THE PROJECTED INCOME DOES NOT MEET LISTED EXPENSES, THE SOLDIER MUST ACKNOWLEDGE THIS FACT IN THE STATEMENT OUTLINED ABOVE. THE APPROVAL AUTHORITY WILL TAKE THIS INTO CONSIDERATION WHEN ACTING ON THE REQUEST FOR EARLY SEPARATION.

(3) THE EFFECTIVE DATE OF EARLY SEPARATION FOR THE PURPOSE OF ACCEPTING EMPLOYMENT AS OUTLINED IN 3.A. WILL BE NO EARLIER THAN 10 DAYS PRIOR TO THE START DATE OF EMPLOYMENT. IN EXCEPTIONAL CASES, WHERE THE APPROVAL AUTHORITY DETERMINES THAT THE 10 DAY PERIOD IS INSUFFICIENT TO MEET THE NEEDS OF THE SOLDIER, SOLDIERS MAY BE SEPARATED UP TO 30 DAYS PRIOR TO THE EMPLOYMENT START DATE. APPROPRIATE CASES FOR THIS TIME EXTENSION INCLUDE, BUT ARE NOT LIMITED TO, SOLDIERS WHO REQUIRE ADDITIONAL TIME TO RELOCATE FOR EMPLOYMENT.

B. REGULAR ARMY ENLISTED SOLDIERS DENIED REENLISTMENT BY HQDA UNDER THE CAP IAW REFERENCE 1.S. ABOVE AND VOLUNTARILY REQUEST EARLY SEPARATION UP TO 90 DAYS PRIOR TO CONTRACTUAL ETS. CAP WAS IMPLEMENTED TO ASSIST WITH REALIGNING SOLDIERS SERVING IN OVER STRENGTH SKILLS INTO SHORTAGE OR BALANCED SKILLS TO MEET ARMY REQUIREMENTS. CAP WILL ALLOW COMMANDERS TO RETAIN A LIMITED NUMBER OF SOLDIERS SERVING IN OVER STRENGTH SKILLS FOR CONTINUED SERVICE IN THEIR PRIMARY MILITARY OCCUPATIONAL SPECIALTY (PMOS).

(1) ENLISTED SOLDIERS IDENTIFIED FOR POSSIBLE REENLISTMENT DENIAL UNDER CAP, WHO ARE RECOMMENDED FOR CONTINUED SERVICE BY THEIR COMMANDER DESPITE THE COMMAND EXCEEDING THE HQDA ESTABLISHED ALLOCATION FOR THE SOLDIER'S PMOS, WILL BE CONSIDERED FOR RETENTION

BY ARMY HUMAN RESOURCES COMMAND (AHRC). FINAL RETENTION DETERMINATIONS WILL BE MADE BY AHRC BASED UPON ARMY REQUIREMENTS, ELIGIBILITY FOR REENLISTMENT, AND ELIGIBILITY FOR RECLASSIFICATION INTO A SHORTAGE OR BALANCED SKILL. SOLDIERS DENIED REENLISTMENT WILL BE NOTIFIED SIX MONTHS PRIOR TO CONTRACTUAL ETS.

(2) AHRC WILL ANNOUNCE AFFECTED MOS/SKILL LEVELS AND CAP LIMITS BY MILITARY PERSONNEL (MILPER) MESSAGE.

C. THE FOLLOWING SOLDIERS ARE INELIGIBLE FOR VOLUNTARY EARLY SEPARATION UNDER THIS PROGRAM:

(1) RESERVE COMPONENT SOLDIERS. THIS PROGRAM APPLIES TO REGULAR ARMY ENLISTED SOLDIERS ONLY.

(2) SOLDIERS ORDERED TO ACTIVE DUTY DUE TO FAILURE TO MEET THE REQUIREMENTS OF THEIR EDUCATIONAL AGREEMENT.

(3) SOLDIERS WHO WILL HAVE LESS THAN 36 MONTHS OF TOTAL SERVICE AT THE TIME OF SEPARATION.

(4) SOLDIERS WHO HAVE AN APPROVED RETIREMENT CODE IN THE TOTAL ARMY PERSONNEL DATABASE.

4. IMPLEMENTING GUIDANCE. AHRC IS RESPONSIBLE FOR ESTABLISHMENT OF ALL PROCEDURES AND PROCESSES IN SUPPORT OF THIS PROGRAM, TO INCLUDE PUBLICATION OF PROCEDURAL GUIDANCE VIA SUPPORTING MILPER MESSAGES.

A. TO ALIGN THIS PROGRAM WITH TRANSITION SERVICE REQUIREMENTS, COMMANDERS SHOULD AFFORD SOLDIERS MAXIMUM TIME TO SEEK TRANSITION ASSISTANCE THROUGH ACAP. REGARDLESS OF CIRCUMSTANCES, COMMANDERS MUST AFFORD SOLDIERS A MINIMUM OF 90 DAYS FOR TRANSITION ACTIVITIES. COMBINING THIS PROGRAM WITH OTHER EARLY RELEASE PROGRAMS TO ALLOW SEPARATION PRIOR TO CONTRACTUAL ETS FOR PERIODS EARLIER THAN THOSE LISTED IN PARAGRAPHS 3.A. AND 3.B. ABOVE IS NOT AUTHORIZED.

B. VOLUNTARY SEPARATIONS PRIOR TO CONTRACTUAL ETS UNDER THIS PROGRAM WILL BE ADMINISTERED UNDER THE PROVISIONS OF AR 635-200, CHAPTER 16-7 AND ARE CONSIDERED TO BE DISCHARGES UNDER 10 USC, SECTION 1171. ACCORDINGLY, COMMANDERS EXERCISING SPCMCA OR HIGHER ARE AUTHORIZED TO APPROVE SEPARATIONS UNDER THIS PROGRAM. THE SERVICE OF SOLDIERS SEPARATED UNDER THE PROVISIONS OF THIS PROGRAM WILL BE CHARACTERIZED AS HONORABLE. FOR THE PURPOSES OF POST-SERVICE BENEFITS, EARLY SEPARATION UNDER THIS PROGRAM IS CONSIDERED TO BE FOR THE CONVENIENCE OF THE GOVERNMENT. SOLDIERS SEPARATED UNDER THIS PROGRAM WILL BE CONSIDERED TO HAVE FULFILLED THEIR TERM OF ENLISTMENT. PROVISIONS OF AR 635-200, CHAPTER 1, SECTION VII, WILL GOVERN WHETHER SOLDIERS WILL BE

RELEASED FROM ACTIVE DUTY WITH TRANSFER TO THE INDIVIDUAL READY RESERVE, OR DISCHARGED.

C. IAW REFERENCE 1.H., A SOLDIER VOLUNTARILY SEPARATED PRIOR TO CONTRACTUAL ETS UNDER THIS PROGRAM WILL NOT BE REQUIRED TO REPAY ANY UNEARNED PORTION OF THE SOLDIER'S SPECIAL PAY OR BONUS THAT IS OTHERWISE RECOUPABLE UNDER 37 USC SECTION 307; HOWEVER, THE SOLDIER WILL NOT BE PAID ANY REMAINING UNPAID PORTION OF THE SPECIAL PAY OR BONUS.

D. SEPARATION PAY IS NOT AUTHORIZED FOR SOLDIERS SEPARATED UNDER THIS PROGRAM IN ACCORDANCE WITH 10 USC, SECTION 1174.

E. REASON FOR SEPARATION TO BE ENTERED ON THE DD FORM 214 IS "REDUCTION IN FORCE," AND SEPARATION PROGRAM DESIGNATOR CODES TO BE ASSIGNED ARE MCC FOR SERVICE MEMBER INITIATED RELEASE OR TRANSFER TO ANOTHER COMPONENT AND KCC FOR SERVICE MEMBER INITIATED DISCHARGE (AR 635-5-1). REENTRY ELIGIBILITY CODE IS RE-1 (AR 601-210).

5. HQDA POC IS CHIEF, PROFESSIONAL DEVELOPMENT BRANCH, (DAPE-MPE-PD), ODCS, G-1 (DSN 225-7991, COMMERCIAL 703-695-7991).

6. EXPIRATION DATE OF THIS MESSAGE CANNOT BE DETERMINED