

that enlistment or induction when such service is otherwise creditable.

12-27. Periods not creditable for retirement

None of the following periods are creditable for retirement under this chapter.

- a. All time required to be made good (10 USC 972). See paragraph 1-23.
- b. Periods of service voided by the Government other than those voided because of minority.
- c. Time in a nonpay (noncasualty) status under 37 USC 552(C).
- d. Service in a Reserve Component not on—
 - (1) Active duty.
 - (2) Active duty for training.
 - (3) Other full-time training duty.

12-28. Verification of service

a. Each soldier of the Regular Army will be interviewed by the officer having custody of his or her records when the soldier completes 18 years' service for basic pay. The interview determines if the soldier has had service (active Federal service or inactive service in any branch of the Armed Forces) in addition to that shown in the Military Personnel Records Jacket (DA Form 201) or Personal Financial Records, US Army (DA Form 3716). Further verification is not required for soldiers whose only claimed service is Army service which is clearly substantiated in their MPRJ or PFR.

b. Army service claimed by the soldier which is not clearly substantiated in his MPRJ or PFR will be verified as follows:

(1) Claimed National Guard service will be verified with the Adjutant General of the State or territory. (See app C for list of addresses.)

(2) If breaks in the applicant's Army service or periods of prior Army service have been previously verified, one copy of DA Form 2339 will be submitted to the Commander, U.S. Army Enlisted Records and Evaluation Center, ATTN: PCRE-RP-R, Fort Benjamin Harrison, IN 46249-5301, requesting verification. It is important that inclusive dates for all service claimed, both active Federal service and inactive service, be furnished.

c. Other service claimed by the applicant will be verified by certified statements of service and other official statements. These statements will be furnished from the addresses below. Statements will contain all dates of active duty, active duty for training or other full-time training duty, and all time lost. The original or certified copies will be attached as enclosures to an application for retirement.

(1) Navy. Military Personnel Records Center, GSA (Navy) 9700 Page Boulevard, St. Louis, MO 63132.

(2) Air Force. Military Personnel Records Center, GSA (Air Force), 9700 Page Boulevard, St. Louis, MO 63132.

(3) Marine Corps. Military Personnel Records Center, GSA (Marine Corps), 9700 Page Boulevard, St. Louis, MO 63132.

(4) Coast Guard. Military Personnel Records Center, GSA (Coast Guard), 9700 Page Boulevard, St. Louis, MO 63132.

(5) National Guard. Adjutant General of the State concerned.

d. The signature of the commander or personnel officer at the close of section II, DA Form 2339 certifies that the service claimed by the soldier in items 14 through 18, DA Form 2339, is correct. Exceptions are indicated in items 25 or 31.

Section V Medical Examination

12-29. General

a. Active Army soldiers retiring after more than 20 years active duty are required to undergo a medical examination. This includes Army Reserve and Army National Guard soldiers on active duty. The examination will provide a better health assessment of the soldier and continue the cardiovascular attention. The examination will also record the soldier's state of health and protect the interest of the soldier and the Government.

b. Examination will be accomplished not earlier than 4 months prior to the anticipated date of commencement of transition leave and not later than 1 month before the scheduled date of retirement.

c. The examining physician will inform the soldier of the results of the medical examination, either verbally or in writing. A copy of the SF 88 may be furnished on request on an individual basis.

d. The immediate commander of each soldier requesting retirement will insure that medical examination procedures are followed per AR 40-501 and DA Pamphlet 600-8-9.

12-30. Hospitalization/Physical Evaluation Board proceedings

If a soldier who has requested retirement becomes hospitalized or has an identified medical problem, he or she might be referred to a physical evaluation board. The commander of the medical treatment facility, or a senior medical officer who has detailed knowledge of medical fitness and unfitness standards, disposition of patients, and disability separation processing to whom the commander has delegated such authority will make this decision. If referral to a physical evaluation board will result, the medical treatment facility commander or designated representative will notify HQDA (TAPC-PDT-SR), 2461 Eisenhower Avenue, Alexandria, VA 22331-0479 by mail or message as soon as possible. The notification will request a change of retirement date if appropriate and furnish a copy of the request to the retirement approval authority. If the physical evaluation board is not necessary, but additional medical care is, the retirement will be processed as a nondisability retirement. Continuing medical problems will be treated up to and after the retirement date. Retirement dates will not be changed to continue medical treatment that will extend past the approved retirement date. If referral to a physical evaluation board results, approved retirement dates will not be changed until approved by HQDA (TAPC-PDT-SR).

12-31. Reports of medical examination

a. A medical examination report for retirement will consist of the originals of the following:

(1) Report of Medical Examination (SF 88).

(2) Report of Medical History (SF 93).

(3) Electrocardiogram properly mounted and identified on clinical record—Electrocardiographic Report (SF 520).

(4) Report of any consultation accomplished.

(5) Complete report of medical board proceedings, if accomplished (AR 40-3)—Medical Board Proceedings (DA Form 3947), Clinical Record—Narrative Summary (SF 502) and Report of Medical Examinations (SF 88).

b. One copy of the complete report of medical examination of medical board proceedings will be filed in the Health Record (DD Form 3444 series). Additional copies will be placed in the Health Record for distribution by the transfer activity per AR 635-10.

Chapter 13 Separation for Unsatisfactory Performance

Section I General

13-1. Policy

A soldier may be separated per this chapter when it is determined that he or she is unqualified for further military service because of unsatisfactory performance. (See chap 1, sec II.) This reason will not be used if the soldier is in entry level status.

13-2. Criteria

a. Commanders will separate a soldier for unsatisfactory performance when it is clearly established that—

(1) In the commander's judgment, the soldier will not develop sufficiently to participate satisfactorily in further training and/or become a satisfactory soldier, or

(2) (Rescinded.)

(3) The seriousness of the circumstances is such that the soldier's retention would have an adverse impact on military discipline, good order, and morale, and

(4) It is likely that the soldier will be a disruptive influence in present or future duty assignments, and

(5) It is likely that the circumstances forming the basis for initiation of separation proceedings will continue or recur, and

(6) The ability of the soldier to perform duties effectively in the future, including potential for advancement or leadership, is unlikely, and

(7) *Rescinded*

b. Commanders will initiate separation action only when the soldier is under military control. As an exception, commanders may initiate this action when a soldier is confined by civil authorities and his or her military record indicates that he or she should be processed for separation by reason of unsatisfactory performance. (See chapter 2, section IV for completing proceedings initiated before a soldier departs absent without leave.)

c. *Rescinded*.

d. This provision applies to soldiers who are pregnant and whose substandard duty performance is not caused solely by pregnancy. Substandard duty might include failure to report to duty without medical or military authorization, or refusal of CONUS reassignment during the first 6 months of pregnancy.

e. Commanders will consider soldiers meeting the criteria of *a* above, and convicted by court-martial, but not sentenced to a punitive discharge, for administrative separation under this chapter, when the underlying misconduct and the soldier's performance warrant separation. When appropriate, commanders may start separation action while the soldier is serving a sentence to confinement at the installation detention facility.

f. Initiation of separation proceedings is required for soldiers without medical limitations who have two consecutive failures of the Army Physical Fitness Test per AR 350-41, or who are eliminated for cause from Noncommissioned Officer Education System courses, unless the responsible commander chooses to impose a bar to reenlistment per AR 601-280, chapter 6.

13-3. Separation authority

The commanders specified in paragraph 1-21 are authorized to take final action in cases processed under this chapter.

13-4. Counseling and rehabilitation requirements

Before initiating separation action against a soldier, commanders will insure that the soldier has received adequate counseling and rehabilitation. Because military service is a calling different from any civilian occupation, a soldier should not be separated when unsatisfactory performance is the sole reason unless there have been efforts at rehabilitation. Paragraph 1-18 prescribes the counseling and rehabilitation requirements.

Section II Procedures

13-5. Action by unit commander when soldier is under military control

When separation for unsatisfactory performance is appropriate, the unit commander will—

a. Take action specified in the Notification Procedure (chap 2). Also, see figure 2-5.

b. Forward the case recommending separation for unsatisfactory performance.

c. Insure that a medical examination and mental status evaluation is obtained per paragraph 1-34.

d. When appropriate, forward the case recommending that the soldier be processed through medical channels. This is required when UCMJ action is not initiated and when the soldier has an incapacitating physical or mental illness which was the direct or

substantial contributing cause of the conduct for which action is being considered.

13-6. Rescinded.

13-7. Commanding officer's report

When the immediate commander determines that separation for unsatisfactory performance is in the best interest of the Service, he or she will report the fact. It will be reported in letter form (fig 2-6) to the separation authority specified in paragraph 1-21 through the intermediate commander.

13-8. Action by intermediate commander

The intermediate commander will take one of the following actions:

a. Disapprove the recommendation and direct reassignment of the soldier to another organization, or direct disposition by other means. In case of reassignment, forward the commanding officer's report to the new organization commander for information.

b. Forward the report recommending approval. Recommendation will be made as to characterization of service (see para 2-2 f(4)).

c. *Rescinded*.

13-9. Action by the separation authority

On receiving a recommendation for separation for unsatisfactory performance, the separation authority (para 1-21) will take one of the following actions:

a. Disapprove the recommendation and direct reassignment of the soldier to another organization. In this case the commanding officer's report will be forwarded to the new organization commander for information.

b. Disapprove the recommendation and return the case to the originator for disposition by other means. The return indorsement will include reasons for considering separation for unsatisfactory performance inappropriate.

c. Take other appropriate action under this regulation.

d. If the soldier has less than 6 years of total active and/or reserve military service, or has properly waived his or her right to consideration by a board—

(1) Approve separation for unsatisfactory performance, or

(2) Approve separation for unsatisfactory performance and suspend execution of the separation (para 1-20).

e. If the soldier has 6 or more years of total active and/or reserve military service and has not executed a waiver, convene a board of officers, as prescribed in chapter 2, to determine whether the soldier should be separated for unsatisfactory performance.

13-10. Separation authority action after board hearings

See chapter 2.

13-11. Characterization of service

The service of soldiers separated because of unsatisfactory performance will be characterized as honorable or under honorable conditions as warranted by their military record. (See para 3-5 and 3-7.) An honorable characterization of service is generally required when limited use evidence is initially introduced by the Government. (See para 3-8 *a* and *g*.)

13-12. Type of separation

The criteria in chapter 1, section VIII, will govern whether the soldier will be released from AD or ADT with transfer to the IRR, or discharged. (See para 1-12 for additional instructions on ARNGUS and USAR personnel.)

13-13. Reentry into Army (Rescinded.)