

16-4. Non-retention on active duty

Soldiers denied or ineligible for continued active duty service may be separated, upon request, as provided below:

a. Locally imposed bar to re-enlistment. USAR AGR soldiers who perceive they will be unable to overcome a field commander's bar to re-enlistment imposed by AR 140-111 may request voluntary separation. This provision does not apply to RA soldiers.

b. **Declination of continued service.** RA soldiers serving on a second or subsequent enlistment who refuse to take action to meet military service remaining requirements by signing DA Form 4991-R pursuant to AR 601-280 may request voluntary separation.

c. **Separation under this paragraph will occur no later than 90 days after the soldier receives pre-separation counseling as required by law (see 10 USC 1142), which must be scheduled as soon as separation is approved.** Any existing service obligation that cannot be fulfilled by the separation date will be waived, and overseas tours will be curtailed to the extent necessary to permit separation.

d. Nothing in this paragraph precludes separation of a soldier for another reason authorized by this regulation.

e. Commanders specified in paragraph 1-19 are authorized to approve or deny requests for separation under this paragraph. Approved requests for separation cannot be withdrawn.

f. The criteria in chapter 1, section VII, will govern whether the soldier is released from active duty, with transfer to the IRR, or discharged.

g. **The service of soldiers separated under this paragraph will be characterized as honorable.**