



# Bars to Reenlistment



*My commander gave me a bar to reenlistment certificate! What's this all about?*

Army Regulation 601-280 requires that Soldiers demonstrate high moral character, personal competence, and adaptability to the requirements of the profession in order to reenlist. If a commander believes that a Soldier doesn't measure up, he can initiate a bar to reenlistment on the Soldier. The bar is placed in the Soldier's MPRJ, and the remark "not recommended for further service" is entered on his DA Form 2-1. Practically, this prevents the Soldier from re-enlisting.

But having a bar to re-enlistment doesn't necessarily mean your career in the Army is over, and it certainly doesn't mean you're being punished. In fact, the bar is meant to be rehabilitative: It lets the Soldier know that he is not measuring up to Army standards and that he must improve if he wants to re-enlist. So if you get a bar to re-enlistment, think dedication, not despair!

## ***Why Would a Soldier Get a Bar to Re-enlistment?***

There are many reasons why a commander might initiate a bar to reenlistment. Here are a few:

- A single parent or dual-service couple with dependent family members does not have an approved family care plan;
- A Soldier fails to qualify on his assigned weapon;
- A Soldier fails a record APFT;
- A Soldier goes AWOL for up to one day;
- A Soldier fails to fulfill his responsibilities.

A more complete list can be found in paragraph 8-4 of the regulation, but even that is not exhaustive. The bottom line is that a bar may be imposed whenever a Soldier is "untrainable" or "unsuitable" for military duties.

## ***What is the Procedure?***

Any commander in a Soldier's command may initiate a bar using DA Form 4126-R. Normally, the Soldier's company commander will start the bar action because he's likely to have the most direct contact with the Soldier and he's likely most aware of the Soldier's successes and shortcomings.

After starting the bar, the commander will present it to the Soldier. The Soldier will then have seven days to submit a rebuttal statement. If the commander determines the bar is still warranted after considering the Soldier's rebuttal, the commander will forward the bar up the chain of command for approval or disapproval. For Soldiers with fewer than ten years of active Federal service, the first commander in the grade of lieutenant colonel (usually the battalion commander) will approve or disapprove the bar. For Soldiers with ten or more years of active Federal service, the approval authority is the first general officer in the Soldier's chain of command or the commander with authority to convene a general court-martial over the Soldier.

An approved bar is filed in the Soldier's local personnel file. The approved bar will be reviewed at the end of 3 months, if not before, and will be removed or continued. Usually, the company commander will review the bar and make a recommendation to the commander who approved it.

Once approved, only the approving commander or a higher commander may remove the bar. If the bar is continued, the Soldier may request voluntary separation from the Army. If the Soldier does not request separation, the continued bar will be reviewed a second time at the end of another 3 months. If at that time the bar is not

removed, involuntary separation proceedings will be started. Soldiers with more than 18 years of active Federal service will not be separated before retirement because of a bar to reenlistment.

***But my commander's got it all wrong! How do I tell my side?***

When a commander gives a bar to reenlistment certificate to a Soldier, the Soldier gets seven days to prepare and submit a written statement and collect any documents or other relevant materials. Remember, this is seven calendar days, *not* seven working days! Come see your Legal Assistance Office as soon as you receive a bar to reenlistment certificate so we can help you.

***Hey! I submitted my statement and the bar was approved anyway! What can I do now?***

You may appeal the decision. You have seven calendar days to submit your appeal once you are informed that the bar is approved. Again, come see Legal Assistance as soon as possible.

***My appeal was denied. Is there any way I can stay in the Army?***

Yes. Your commander must review the bar at least every three months, at which time he must recommend the bar be lifted or remain in place. If he feels that you still do not measure up to Army standards, he will recommend the bar remain and may, but does not have to, initiate separation actions. If, however, you have addressed whatever issues prompted the imposition of the bar, he should recommend the bar be lifted. Final approval for removal usually rests with the Battalion Commander.

If your commander does not recommend removal and also does not initiate separation action, he must review the bar again in another three months. If, at the second review, your commander still does not feel that you are meeting Army standards, he *must* initiate separation action.

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