

# Army

# Navy

# Air Force

# Marines

Standard violated

Standard violated

Standard violated

Standard violated

Fitness

Weight

Fitness

Weight

Fitness

Weight

Fitness

Weight

When Separated?

When Separated?

When Separated?

When Separated?

Implemented DOD directive 6.11.93

- Pre-Oct 1984
- Oct 1984 - Mar 10, 1992
- Since Mar 10, 1992

Implemented DOD directive 3.5.93

- Pre-Mar 10, 1992
- Since Mar 10, 1992

Implemented DOD directive Nov 92, retroactive 3.10.92

- Pre-Mar 10, 1992
- Since Mar 10, 1992

Implemented DOD directive Feb 93, retroactive 3.10.92

- Pre-Mar 10, 1992
- Since Mar 10, 1992

Unsatisfactory performance

Convenience of the government

Weight control failure

Convenience of the government

Weight control failure

Unsatisfactory performance

Weight control failure

Unsatisfactory performance

Weight control failure

Service category of separation

**Unsatisfactory performance**  
FMR recoupment provision ¶090403.L

**Convenience of the government**  
FMR recoupment provision ¶090403.N

**Weight control failure**  
FMR recoupment provision ¶090403

N<sub>1</sub> N<sub>2</sub> N<sub>3</sub> N<sub>4</sub> N<sub>5</sub> N<sub>6</sub> N<sub>7</sub> N<sub>8</sub> N<sub>9</sub>

N<sub>6</sub> *“Overweight, obesity, or lack of physical fitness”*

### The 3 questions of law:

Does Financial Management Regulation (FMR) permit recoupment when separation category is :

1. Unsatisfactory performance
2. Convenience of the government
3. Weight control failure