



Ch 1, 1/17/60  
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ASD(M&RA)

D. G. H. H. 77187

## Department of Defense Directive

SUBJECT Administrative Discharges

- Refs.: (a) DoD Directive 1332.14, subject as above, January 14, 1959, as amended (hereby cancelled)  
(b) DoD Directive 1332.19, "Use of Records of Nonjudicial Punishment," February 12, 1963 (hereby cancelled)  
(c) DoD Directive 5210.9, "Military Personnel Security Program," June 19, 1956  
(d) DoD Directive 1300.11, "Illegal or Improper Use of Drugs by Members of the Armed Forces," February 12, 1968

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### I. PURPOSE

This Directive prescribes policies, standards, and procedures governing the administrative discharge of enlisted persons from the Armed Forces.

### II. CANCELLATION

References (a) and (b) are hereby cancelled and superseded.

### III. APPLICABILITY

The policies, standards, and procedures prescribed herein are applicable to the Army, the Navy, the Air Force, and the Marine Corps, and, by agreement with the Secretary of the Transportation, to the Coast Guard, and to all Reserve components thereof.

### IV. DEFINITIONS

As used herein, the following definitions will apply:

- A. Member - an enlisted man or an enlisted woman of an armed force.
- B. Discharge - complete severance from all military status.
- C. Release from Active Duty - termination of active duty status and transfer or reversion to a Reserve component not on active duty.

#Second amendment (Ch 4, 3/3/69)

- D. Separation - a general term which includes discharge and release from active duty.
- E. Administrative Separation - discharge or release from active duty upon expiration of enlistment or required period of service, or prior thereto, in the manner prescribed herein or by law, but specifically excluding separation by sentence of general or special court-martial.
- F. Military Record - comprises a member's behavior while in military service, including general comportment and performance of duty.
- G. Prior Enlistment or Period of Service - service in any component of the armed forces, including the Coast Guard, which culminated in the issuance of a discharge certificate or certificate of service.
- H. Administrative Discharge Board - a board appointed to render findings based on facts obtaining or believed to obtain in a case and to recommend retention in the service or discharge and reason for and the type of separation or discharge certificate to be furnished.
- I. Discharge Authority - as established herein and implemented by regulations issued by an Armed Force, an official authorized to take final action with respect to specified types of discharge.
- J. Respondent - a member of the Armed Forces who has been notified that action has been initiated with a view toward discharging him under a specified service regulation.
- K. Counsel - a lawyer within the meaning of article 27(b)(1) of the Uniform Code of Military Justice unless appropriate authority certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel.
- L. Honorable Discharge - is separation from an Armed Force with honor.
- M. General Discharge - is separation from an Armed Force under honorable conditions.
- N. Undesirable Discharge - is separation from an Armed Force under conditions other than honorable.

V. POLICY

- A. General. The Armed Forces have the right and the duty to

defect, apparently beyond the control of the individual, elsewhere not readily describable.

4. Emuresis
5. Alcoholism
6. Homosexual and other aberrant tendencies
7. Financial Irresponsibility

H. Security. Discharge, with the character of discharge and under conditions and procedures stipulated by the Secretary of Defense as set forth in reference (c) which deals explicitly with this matter, when retention is not clearly consistent with the interest of national security.

I. Unfitness. Discharges by reason of unfitness, with an Undesirable Discharge, unless the particular circumstances in a given case warrant a General or Honorable Discharge, when an individual's military record in his current enlistment or period of obligated service includes one or more of the following:

1. Frequent involvement of a discreditable nature with civil or military authorities.
2. Sexual perversion including but not limited to (1) lewd and lascivious acts, (2) homosexual acts, (3) sodomy, (4) indecent exposure, (5) indecent acts with or assault upon a child, or (6) other indecent acts or offenses.
- \* 3. Drug abuse as defined in DoD Directive 1300.11 (reference \*  
\* (d)).
4. An established pattern for shirking.
5. An established pattern showing dishonorable failure to pay just debts.
6. An established pattern showing dishonorable failure to contribute adequate support to dependents or failure to comply with orders, decrees, or judgments of a civil court concerning support of dependents.
7. Unsanitary habits.

J. Misconduct. Discharge by reason of misconduct, with an Undesirable Discharge, unless the particular circumstances in a given case warrant a more favorable discharge, when one or

more of the following conditions have been determined:

1. Conviction by civil authorities (foreign or domestic) or action taken which is tantamount to a finding of guilty of an offense for which the maximum penalty under the Uniform Code of Military Justice is death or confinement in excess of one year; or which involves moral turpitude; or where the offender is adjudged a juvenile delinquent, wayward minor, or youthful offender or is placed on probation or punished in any way as the result of an offense involving moral turpitude. If the offense is not listed in the MCM Table of Maximum Punishments or is not closely related to an offense listed therein, the maximum punishments authorized by the U.S. Code or the District of Columbia Code, whichever is lesser, applies.
  2. Procurement of a fraudulent enlistment, induction or period of active service through any deliberate material misrepresentation, omission or concealment which if known at the time might have resulted in rejection.
  3. Prolonged unauthorized absence. When unauthorized continuous absence of one year or more has been established.
- K. Resignation or Request for Discharge for the Good of the Service. Discharge by reason of resignation or request for discharge for the good of the service, with an Undesirable Discharge, where a member's conduct rendered him triable by court-martial under circumstances which could lead to a punitive discharge, subject to the procedures and safeguards specified elsewhere in this Directive.

#### VIII. PROCEDURES FOR DISCHARGE

In accordance with the standards hereinabove outlined, the following procedures will be adhered to in effecting administrative discharges:

- A. Honorable Discharge. A separation with an Honorable Discharge may be effected by the member's commanding officer or higher authority when the member is eligible for or subject to discharge and it has been determined that he merits an Honorable Discharge under the prescribed standards.
- B. General Discharge. A separation with a General Discharge may be effected by the commanding officer or higher authority when the member is eligible for or is subject to discharge and it has been determined under the prescribed standards that such discharge is warranted. When a General Discharge is issued for one of the reasons listed in VII.A. through F., above, the

specific basis therefor shall be included in the member's permanent personnel records.

C. Discharge for Unsuitability. An Honorable or a General Discharge, based on the standards prescribed in VII.G., above, may be issued by the commander exercising special court-martial jurisdiction or higher authority.

1. A member with less than eight years of continuous active military service will be notified in writing of the proposed discharge action and will be afforded an opportunity to make a statement in his own behalf or decline the opportunity in writing. This correspondence will be filed in the member's permanent personnel records.
2. A member with eight or more years of continuous active military service will be discharged by reason of unsuitability only in accordance with the safeguards and procedures specified in paragraphs VII.D.1. and 2., below.

D. Undesirable Discharge. An Undesirable Discharge will be directed by a commander exercising general court-martial jurisdiction or by higher authority. This authority may be delegated to a general or flag officer in command who has a judge advocate on his staff for cases arising in that command. Every action taken pursuant to such a delegation will state the authority therefor. An Undesirable Discharge will be issued in accordance with this Directive and the following procedures and safeguards:

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1. A member who is under military control will be notified in writing of the basis for the proposed discharge action and advised that he has the following rights:
  - a. To present his case before an administrative discharge board
  - b. To be represented by counsel.
  - c. To waive the above rights in writing. If he so requests, the member shall be given an opportunity to consult with counsel prior to waiving his rights.
2. If a member waives his rights, the Discharge Authority may disapprove the waiver and refer the case to an administrative discharge board, or direct retention on active duty, or direct discharge by reason of unfitness, misconduct, or security. If discharge is directed, the type of certificate will be specified.
3. A member unable to appear in person before an administrative discharge board by reason of confinement by civil authorities will be advised (by registered mail) of the proposed discharge action, the type of discharge certificate that may be issued, and the fact that action has been suspended to give him the opportunity to exercise the following rights:
  - a. To request appointment of a military counsel to

represent him and in his absence present his case before an administrative discharge board.

- b. To submit statements in his own behalf.
  - c. To waive the foregoing rights, either in writing or by declining to reply to the letter of notification within a prescribed time limit.
4. A member beyond military control by reason of unauthorized absence of more than one year may be issued an Undesirable Discharge in absentia. Notification of the imminent discharge action and the effective date thereof will be sent by registered mail to the record address of the member or the next of kin, as appropriate. Separation of members of the reserve components will be subject to the limitations of Title 10, U.S.C. 1163.
  5. A member who submits a resignation or requests discharge for the good of the service may be issued an Undesirable Discharge without board action provided he has been afforded the opportunity to consult counsel and provided that the member certifies in writing his understanding that he will receive a discharge under other than honorable conditions and that he understands the adverse nature of such a discharge and the possible consequences thereof.

IX. ADMINISTRATIVE DISCHARGE BOARD

- A. Composition. An administrative discharge board shall be comprised of at least three experienced commissioned officers, at least one of whom shall be serving in the grade of major/lieutenant commander or higher, and may include a nonvoting recorder. The following provisions will apply if the respondent is:
  1. An enlisted member of a Reserve component or holds an appointment as a Reserve commissioned or warrant officer, the membership shall include a majority of Reserve officers if reasonably available. Where a Reserve majority is not available, the board shall include at least one Reserve component officer. Voting members shall be senior to the respondent's Reserve grade.
  2. An enlisted woman, the board shall include a female officer as a voting member.
- B. Procedures. The board functions as an administrative rather than a judicial body. Strict rules of evidence need not be observed. However, the chairman may impose reasonable restrictions as to relevancy, competency, and materiality of