

TOPIC

Basis for Administrative Discharges in AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*, 9 June 2004.

TEXT OF THE DECISION

We have reviewed the below case and for the following reasons, find that it is not legally sufficient to support the recommendation to discharge Respondent pursuant to AFI 36-3206, paragraph 3.2, for Misconduct or Moral or Professional Dereliction.

BACKGROUND

Respondent received one Letter of Counseling, one Letter of Admonishment, and three Letters of Reprimand and has an Unfavorable Information File.

GUIDANCE

AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*, 9 June 2004.

DISCUSSION

The Show Cause Notification memo states that Respondent is being considered for administrative discharge based on AFI 36-3206, Chapter 3, paragraph 3.2. Additionally, the memo incorrectly states the least favorable discharge characterization the Secretary of the Air Force may direct is under honorable conditions (general).

Paragraph 3.2 is a procedural paragraph and should not be cited as a basis for discharge. If you wish to continue with the discharge process, we recommend that you review paragraph 3.6 and use one or more of those paragraphs and/or paragraph 2.3 and use or more of those paragraphs, as applicable to the Respondent's conduct.

Additionally, should you use any of the bases listed in paragraph 3.6, the Respondent should be notified that the Secretary of the Air Force may direct: a discharge under other than honorable conditions (UOTHC), under honorable conditions (general), or an honorable discharge (paragraph 3.1.1).

CONCLUSION

Based on the foregoing, we conclude it is not legally sufficient to support the recommendation to discharge Respondent based on AFI 36-3206, paragraph 3.2.