

Administrative Demotion of Airmen Memorandum

1. Name/Rank/Organization of Airman

Attachments:

2. Initiating Commander's Notice to Airman:

- a. Under the provisions of AFI 36-2502, *Airman Promotion/Demotion Programs*, I recommend you be administratively demoted to the grade of _____. As your commander, I am the initiating commander. The demotion authority will be _____.
- b. I am concerned about your behavior during this current enlistment, and in making this decision I have considered your entire military record. My reason for recommending your demotion is AFI 36-2502, paragraph _____. I have considered your entire military record in making the decision to initiate this demotion action. The specific conduct on which I am basing my recommendation is as listed in Item 14.
- c. You have the right to counsel. The Area Defense Counsel (ADC) is located in Building _____ and may be contacted by telephone at _____. The ADC can assist you in submitting a written or oral statement and their services are available at no expense to you. You may also obtain civilian defense counsel at your own expense. A civilian defense counsel must be readily available.
- d. You have until _____ (3 duty days) to provide any comments or documents you wish to be considered concerning this action. Any statements you want the demotion authority to consider must reach me by _____ at _____ hours. Extensions must be officially requested in writing. Your signature below indicates you have been provided the above information and is mandatory. If you fail to consult counsel or to submit statements in your own behalf within the allotted time frame, your failure will constitute a waiver of your right to do so.
- e. If you are retirement eligible, you may apply for retirement in lieu of demotion effective no later than the 1st day of the 4th month following the initial notification of demotion. If you wish to do so and are eligible, please let me know as soon as possible (see AFI 36-2502, paragraphs 6.4.1.5 through 6.4.1.5.3.)

I acknowledge (initial one) I am retirement eligible Not Applicable

Name/Rank/Organization of Initiating Commander

Signature

Date

3. Airman's Acknowledgement of Receipt of Notification:

I have received this notice of my commander's recommendation, and the specific reasons, to administratively demote me to the grade of _____. I have until _____ to respond. I may submit a written statement and/or make an oral presentation, and may seek assistance from defense counsel.

Name/Rank/Organization of Airman

Signature

Date

4. Airman's Initial Response Memorandum: (circle the correct response in each sentence)

- a. I (do) (do not) concur with the proposed demotion.
- b. I (have) (have not) submitted written materials on my behalf.
- c. I (request) (waive) a personal hearing before the initiating commander.
- d. I (have) (have not) consulted with counsel.

<p>Written Materials Statement: (If submitted) I have submitted a written statement dated _____, consisting of _____ pages.</p>
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Name/Rank/Organization of Airman

Signature

Date

5. Initiating Commander's Decision:

I considered all matters identified in block 4. If applicable, the personal appearance was held on _____. Additionally, if applicable, I included a summary of the written and/or oral matters presented, dated _____, consisting of _____ page(s).

After reviewing all submitted written and/or oral matters, (initial one block)

- a. Demotion is not appropriate at this time, this demotion proceeding is ended.
- b. Demotion to the grade of _____ is appropriate. I am forwarding all submitted matters to the demotion authority.

Name/Rank/Organization of Initiating Commander

Signature

Date

6. Airman's Acknowledgement of Commander's Decision: I have received this notice of my commander's intent to proceed with demotion and intent to forward all submitted matters to the demotion authority.

Name/Rank/Organization of Airman

Signature

Date

7. Demotion Authority's Decision:

I have considered the Airman's military career, and I have reviewed all of the matters submitted by the Airman and any summary of the Airman's matters from the initiating commander.

- a. As required by AFI 36-2502, paragraph 6.4.3, I have obtained, read, considered and attached a written legal review from _____ dated _____. The legal review found a legally sufficient basis to demote the Airman.
- b. After careful consideration of all matters, I have determined (*initial one block*):
- This demotion proceeding is terminated.
- Demotion is appropriate. The Airman is demoted to the grade of _____ with a new date of rank of _____.

Name/Rank/Organization of the Demotion Authority	Signature	Time	Date
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8. Initiating Commander's Notification to Airman: (*initial one block*)

- a. The demotion authority did not demote you. Your current grade and date of rank is retained.
- b. The demotion authority demoted you to the grade of _____, with a date of rank of _____, effective on _____.
- You must acknowledge this decision within 3 duty days. **Acknowledgement is mandatory.**
 - You may appeal the demotion by indicating your desire to appeal. You must indicate your desire to appeal no later than _____ at _____ hours (3 duty days). If you elect to appeal, the entire package will be submitted to the MPS for processing. Your appeal will first be considered by the demotion authority. The appellate authority will be _____. Extensions must be officially requested in writing.

Name/Rank/Organization of Initiating Commander	Signature	Date
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9. Airman's Acknowledgement: I acknowledge my new grade of _____, and date of rank of _____, effective _____.

Name/Rank/Organization of Airman	Signature	Date
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10. Airman's Appeal Decision: (*circle where appropriate in (a) and fill in sentence (b)*)

- a. I (do) (do not) appeal the decision.
- b. (If necessary) I have submitted a written statement dated _____ consisting of _____ page(s).
- c. (If applicable) If eligible to retire, I do / do not prefer to retire in lieu of demotion.

Name/Rank/Organization of Airman	Signature	Date
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11. Demotion Authority's Decision:

I received notice of your appeal. I have reviewed the written matters you submitted. I have determined that (*initial one block*):

- a. This demotion proceeding is terminated, with your grade/rank restored.
- b. I am forwarding this case, the legal review and all matters to the appellate authority.

Name/Rank/Organization of the Demotion Authority	Signature	Date
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12. Decision by Appellate Authority:

I have considered all matters submitted and the legal review submitted to the demotion authority. (*initial one block*)

- a. Appeal Granted. This demotion proceeding is terminated, with the original grade/rank restored.
- b. The appeal is denied.

Name/Rank/Organization of the Appellate Authority	Signature	Date
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13. Airman's Acknowledgement: I acknowledge the appellate authority's decision/final disposition of this proceeding.

Name/Rank/Organization of Airman	Signature	Date
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14. Conduct Summary:

Note: If the demotion authority, who has administrative jurisdiction, wants to restore the Airman's original grade following a demotion, he or she **must** do so sometime between 3 months and 6 months after the effective date of the demotion (see AFI 36-2502, paragraph 6.1.6).

15. Restoration of Grade:

- a. I am the demotion authority, with administrative jurisdiction, and have decided to restore your grade.
- b. The effective date and the date of rank (DOR) is _____. (The date the demotion authority approves restoration in writing.
1. You must acknowledge this decision within 3 duty days. **Acknowledgement is mandatory.**

Name/Rank/Organization of Initiating Commander	Signature	Date
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16. Airman's Acknowledgement: I acknowledge my new grade of _____, and date of rank of _____, effective _____.

Name/Rank/Organization of Airman	Signature	Date
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