

## QUALITY FORCE MANAGEMENT EFFECTS OF NONJUDICIAL PUNISHMENT

Commanders have a great deal of discretion concerning quality force management consequences related to nonjudicial punishment (NJP) actions. The following guidance applies primarily to *enlisted* personnel. Please consult with the staff judge advocate regarding the quality force management consequences of NJP actions on officers.

### UNFAVORABLE INFORMATION FILE (UIF) ENTRIES

- ***Mandatory Entries:*** Where an enlisted member is punished under Article 15, a UIF entry is required if any portion of the executed or suspended punishment will not be completed within one month
  - Members are entitled to notice that the action will be entered into a UIF. Such notice is included on the AF IMT 3070, *Record of Nonjudicial Punishment Proceedings*.
  - NJP actions entered into a UIF must remain there until all punishment is completed or remitted, including any periods of suspension
  - Post-punishment actions to suspend a previously imposed punishment must be filed in the member's UIF, with the original NJP action, until the suspension period is completed
  - Actions to vacate a suspended punishment must be entered into the member's UIF
  - The commander may remove the NJP action and related documents from the member's UIF any time after the punishment or suspended punishment is completed (if removal is clearly warranted), or if the Article 15 is set aside. If the commander takes no action to remove the NJP action, it will remain in the UIF for two years.
- ***Discretionary Entries:*** A commander has the discretion to enter an NJP action into the member's UIF when entry is not required (when punishment does not exceed 1 month)
  - As in mandatory UIF entries, the commander must notify the member of his/her intent to enter an NJP action into the member's UIF
  - The commander may remove the NJP action from the member's UIF any time after the punishment or suspended punishment has been completed or remitted. If the commander takes no action, the NJP will remain in the UIF for one year.

### **OFFICER ARTICLE 15 UIF ACTIONS**

- Any record of an NJP action for officers is a mandatory UIF entry
- Generally, such NJP actions are retained in a UIF for two years
- Early removal by the wing commander or issuing authority (whomever is higher in rank) is authorized if punishment has been completed
- Commanders should also consider whether comments should be made in the next OPR and/or promotion recommendation form (PRF). Seek the advice of the SJA for assistance in determining when comments may be appropriate.

### **RELATED ADMINISTRATIVE ACTIONS**

- In addition to NJP, commanders may take other appropriate administrative actions. Such actions may include but are not limited to:
  - Control roster action
  - Entry of the member into counseling or rehabilitation programs such as ADAPT
  - EPR comments concerning the member's underlying misconduct
  - Administrative discharge (in serious cases)
  - Removal from the personnel reliability program, withholding a security clearance, or withholding access to sensitive materials; and
  - NJP may also adversely affect promotion, reenlistment, and assignment eligibility

### **OFFICER AND SENIOR NCO PROMOTION SELECTION RECORDS**

- In cases involving officers and senior NCOs, commanders who impose NJP must also decide whether to include the Article 15 in the member's promotion selection record
- The imposing commander's decision to file the Article 15 in a selection record is subject to review by the next senior Air Force commander, unless the GCMCA imposed the punishment
- Article 15s placed in a senior NCO's promotion selection record remain there for two years or until after the member meets one senior NCO evaluation board

- Article 15s placed in an officer's promotion selection record (for lieutenant colonels and below) are generally kept in the record until after the officer meets one IPZ or APZ promotion board and an appeal for removal has been approved
- Selection record decisions are recorded on an AF IMT 3070B for senior NCOs and on AF IMT 3070C for officers

**REFERENCES:**

AFI 36-2406, *Officer and Enlisted Evaluation Systems* (2 January 2013 with corrections applied 5 April 2013)

AFI 36-2608, *Military Personnel Records System* (30 August 2006)

AFI 36-2907, *Unfavorable Information File (UIF) Program* (17 June 2005)

AFI 51-202, *Nonjudicial Punishment* (7 November 2003), Incorporating Through Change 3 (11 August 2011), Including AFGM 22 October 2013