



**Trial Defense Services**  
FORT KNOX FIELD OFFICE  
FORT KNOX, KENTUCKY 40121  
CHAPTER ELIMINATION INFORMATION

*Note: This handout only provides basic information and is not intended to serve as a substitute for personal consultation with an attorney.*

Your commander has recommended that you be administratively separated from the service under the provisions of AR 635-200. This handout will answer some general questions about your administrative separation, which is often referred to as a chapter.

If separated, depending on the type of chapter, you could receive one of the following types of discharges:

❑ **Honorable**

The best discharge you can receive from the service.

❑ **General (Under Honorable Conditions),** or just a ‘General discharge’

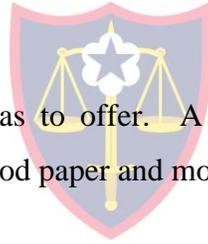
The second best discharge offered by the Army but still considered “good paper.”

❑ **Under Other Than Honorable Conditions, also called an “OTH.”**

An OTH discharge will deprive you of most of the benefits you would receive with an Honorable discharge and may cause you substantial prejudice in civilian life. Generally, an OTH discharge is only possible under chapters 14 and 15 and before you can be given an OTH, you have the right to have your case heard by an administrative separation board.

Attached to this handout, you will find a description of the benefits available to you for each of the discharges.

If you receive a General discharge you retain most of your pay entitlements or VA benefits that have accrued thus far. For example, you can still cash in your accrued leave. You do, however, do lose any GI Bill contributions and any civil service retirement credit (that is, credit toward federal civil service retirement for your active duty military time) to which you would otherwise be entitled. The biggest concern with a General discharge is that it is the second best type of discharge. As such, a future employer may wish to know why you received



the second best discharge the Army has to offer. A General discharge is under honorable conditions and so it is still considered good paper and most employers will probably not press the issue.

The Separation Authority (your Battalion/Brigade Commander or the Commanding General, depending on your type of chapter) decides whether or not you should be separated and, if so, what type of discharge you should get.

There are three ways your input can effect those decisions:

a. If you have less than six years of active and reserve military service, and you are not being considered for an OTH discharge, the only way you can fight this action (or at least have some input) is to submit statements on your own behalf. These statements can be your own or from those who speak on your behalf. They should talk about your duty performance, potential, and ability for retention. They should also mention significant contributions you have made. They can ask that you either be retained in the service or given an Honorable discharge. These statements should be submitted to your Commander, who in turn will forward them to the Separation Authority to aid in his decision.

b. If you have six years or more of active and reserve military service, or you are being considered for an OTH discharge, you have the following additional options:

(1) You have the right to have your case heard before an Administrative Separation Board (Chapter Board). This Board would normally consist of three people, two officers and one senior enlisted soldier. The Board's job is to decide whether you should be separated, and if so, with what type of discharge. The Board then makes a recommendation to the Separation Authority. The Separation Authority makes the final decision, but cannot do anything less favorable to you than the Board recommended (i.e.: If the Board recommends you receive a General discharge, the Separation Authority cannot issue you an OTH discharge).

At the Board you have certain rights. You have the right to be represented by a detailed military lawyer or another military lawyer at your request (if that lawyer is reasonably available), both at no cost to you. You could also hire a civilian lawyer at no cost to the Government. If



you are a minority member you could request that a minority member be part of your Board. You can also make a statement to the Board, or choose to remain silent.

(2) You also have the right to submit a Conditional Waiver. A Conditional Waiver is a document sent by you to the Separation Authority that tells him you agree to give up your right to a Board hearing if he promises to give you a better type of discharge (usually a General discharge). If the Separation Authority agrees, you will receive a better type of discharge. If he turns down your proposal, you still have the right to a Board.

In any case, you have the right to consult with a military lawyer to help you decide which option is best for you. You also have the right to obtain copies of all documents that will be forwarded to the Separation Authority for consideration.

If you are discharged, you will not be eligible to reenlist in the United States Army for a period of two years. However, if discharged with an Honorable Discharge, the Separation Authority may direct that you serve the rest of your obligated time in a Reserve status. If discharged with a General discharge (Under Honorable Conditions), once out of the service you may petition the Army Discharge Review Board and the Army Board for Correction of Military Records to upgrade your discharge. An upgrade is neither guaranteed nor automatic. See the office NCOIC or your attorney for a memorandum explaining the discharge upgrade procedures.

The attorney who counsels you will answer your questions. The attorney will also thoroughly review your discharge packet to ensure that the Commander has satisfied all of the regulatory obligations. You and the attorney will then fill out a form indicating which options you wish to exercise in this matter.