

mission performance that are associated with retention of enlisted members who do not conform to required standards of discipline and performance despite efforts at counseling, retraining, or rehabilitation.

(c) Standards and procedures for implementation of these policies are set forth in appendix A to this part.

§ 41.4 Responsibilities.

(a) The *Secretaries of the Military Departments* shall prescribe implementing documents to ensure that the policies, standards, and procedures set forth in this part are administered in a manner that provides consistency in separation policy to the extent practicable in a system that is based on command discretion. The implementing documents also shall address the following matters:

(1) *Processing goals.* The Secretary concerned shall establish processing time goals for the types of administrative separations authorized by this part. Such goals shall be designed to further the efficient administration of the armed forces and shall be measured from the date of notification to the date of separation. Normally such goals should not exceed 15 working days for the Notification Procedure (part 3, section B., appendix A) and 50 working days for the Administrative Board Procedure (part 3, section C., appendix A) Goals for shorter processing times are encouraged, particularly for cases in which expeditious action is likely. Variations may be established for complex cases or cases in which the Separation Authority is not located on the same facility as the respondent. The goals, and a program for monitoring effectiveness, shall be set forth in the implementing document of the Military Department. Failure to process an administrative separation within the prescribed goal for processing times shall not create a bar to separation or characterization.

(2) *Periodic explanations.* The Secretary concerned shall prescribe appropriate internal procedures for periodic explanation to enlisted members of the types of separations, the basis for their issuance, the possible effects of various actions upon reenlistment, civilian employment, veterans' benefits, and relat-

ed matters, and the effects of 10 U.S.C. 977 and Pub. L. 97-66, concerning denial of certain benefits to members who fail to complete at least 2 years of an original enlistment. Such explanation may be provided in the form of a written fact sheet or similar document. The periodic explanation shall take place at least each time the provisions of the Uniform Code of Military Justice (UCMJ) are explained pursuant to Article 137 of the UCMJ. The requirement that the effects of the various types of separations be explained to enlisted members is a command responsibility, not a procedural entitlement. Failure on the part of the member to receive or to understand such explanation does not create a bar to separation or characterization.

(3) *Provision of information during separation processing.* The Secretary concerned shall ensure that information concerning the purpose and authority of the Discharge Review Board and the Board for Correction of Military/Naval Records, established under 10 U.S.C. 1552 and 1553 and 32 CFR part 70 (DoD Directive 1332.28) is provided during the separation processing of all members, except when the separation is for the purpose of an immediate reenlistment. Specific counseling is required under 38 U.S.C. 3103(a) which states that a discharge under other than honorable conditions, resulting from a period of continuous, unauthorized absence of 180 days or more, is a conditional bar to benefits administered by the Veterans Administration, notwithstanding any action by a Discharge Review Board. The information required by this paragraph should be provided in the form of a written fact sheet or similar document. Failure on the part of the member to receive or to understand such explanation does not create a bar to separation or characterization.

(b) The *Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)* may modify or supplement the enclosures to this Directive, and may delegate the authority to establish reporting requirements for the reasons for separation (part 1, appendix A) to a Deputy Assistant Secretary.