

MAXIMUM FORFEITURES CHART EFFECTIVE JAN 2015

PAY GRADE	<2	2	3	4	6	8	10	12	14	16	18	20
E-9	933	933	933	933	933	933	974	999	1030	1063	1123	1153
E-8	933	933	933	933	933	933	974	999	1030	1063	1123	1153
E-7	648	707	735	770	799	847	874	922	962	989	1018	1030
E-6	561	617	644	671	698	760	785	832	846	856	868	868
E-5	514	548	575	602	644	688	724	729	729	729	729	729
E-4	471	495	522	548	572	572	572	572	572	572	572	572
E-3	425	452	479	479	479	479	479	479	479	479	479	479
E-2	404	404	404	404	404	404	404	404	404	404	404	404
E-1<4	360	360	360	360	360	360	360	360	360	360	360	360
E-1<4	333	360	360	360	360	360	360	360	360	360	360	360

15 DAYS PAY - FIELD GRADE OFFICERS

PAY GRADE	<2	2	3	4	6	8	10	12	14	16	18	20
E-9	2442	2442	2442	2442	2442	2442	2442	2497	2567	2649	2732	2865
E-8	1999	1999	1999	1999	1999	1999	2087	2142	2208	2279	2407	2472
E-7	1390	1517	1575	1652	1712	1815	1873	1976	2062	2121	2183	2207
E-6	1202	1322	1381	1438	1497	1630	1682	1782	1813	1836	1862	1862
E-5	1101	1175	1232	1290	1380	1475	1553	1562	1562	1562	1562	1562
E-4	1009	1061	1119	1175	1225	1225	1225	1225	1225	1225	1225	1225
E-3	911	969	1027	1027	1027	1027	1027	1027	1027	1027	1027	1027
E-2	867	867	867	867	867	867	867	867	867	867	867	867
E-1>4	773	773	773	773	773	773	773	773	773	773	773	773
E-1<4	773	773	773	773	773	773	773	773	773	773	773	773

2/3 PAY FROM SPCM W/PUNITIVE DISCH AND CONFINEMENT

PAY GRADE	<2	2	3	4	6	8	10	12	14	16	18	20
E-9	3256	3256	3256	3256	3256	3256	3256	3330	3423	3532	3643	3820
E-8	2666	2666	2666	2666	2666	2666	2783	2856	2944	3039	3210	3296
E-7	1853	2022	2100	2202	2283	2420	2498	2635	2750	2828	2911	2943
E-6	1603	1763	1841	1917	1996	2174	2243	2377	2418	2448	2482	2482
E-5	1468	1567	1643	1720	1841	1967	2071	2083	2083	2083	2083	2083
E-4	1346	1415	1492	1567	1634	1634	1634	1634	1634	1634	1634	1634
E-3	1215	1292	1370	1370	1370	1370	1370	1370	1370	1370	1370	1370
E-2	1156	1156	1156	1156	1156	1156	1156	1156	1156	1156	1156	1156
E-1>4	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031
E-1<4	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031	1031

Computation Formula: Base Pay divided by 30, multiply by 7 or 15 days (as applicable), round down to nearest dollar, then multiply by 1 or 2 months (as applicable).

Reserve NJP Computation: Company Grade Maximum Forfeiture = (Single Drill Base Pay) x (Number of Drills within the next 30 days x .2333 rounded down to nearest dollar).

Field Grade Maximum Forfeiture = (Single Drill Base Pay) x (Number of Drills within the next 60 days x .5 rounded down to the nearest dollar).

Note: The number of drills for the next 30 or 60 days includes any and all active duty periods to include the day of NJP, any AT's, ADSW RIDT's, EIO's, RMP's, ATP's, etc...

480605. Restoration to Duty

A member restored to duty following a non-pay status is again entitled to pay against which forfeitures or fines may apply.

480606. Service Beyond Estimated Term of Service (ETS) for Medical Care

The pay and allowances of an enlisted member retained beyond ETS for medical care or hospitalization are subject to forfeitures and fines.

480607. Non-Collection Due to Administrative Error

Collect court-martial forfeitures not collected due to administrative error when the error is discovered. Collection may be made for the court-martial forfeiture or for erroneous payments made during the period covered by the sentence. Indebtedness of this type cannot be remitted under statutes authorizing remission of indebtedness.

480608. Pay Due or Accrued

Pay of a member subject to forfeiture by sentence of court-martial is pay which is earned on and after the effective date of the forfeiture. See section 4805.

480609. Forfeiture Based on Reserve Status in Certain Circumstances

All punishments (as the result of any offense committed on or after March 12, 1987) remaining unserved (A) at the time a member of a Reserve Component is released from active duty or (B) at the end of a period of active duty training or the end of any normal period of inactive duty training may be carried over to subsequent periods of inactive duty training or active duty. A forfeiture of pay may be collected from active duty and inactive duty training pay during subsequent periods of duty. See section 4812.

4807 REMISSION, SUSPENSION, AND CANCELLATION OF FORFEITURES

480701. Death or Separation

A. The death or discharge of a member under a suspended sentence operates as a complete remission of any unexecuted or unremitted part of a sentence.

B. Discharge, release from active duty (except under paragraph 480609), or death of a member under an unsuspended sentence to forfeiture cancels any uncollected portion of the forfeiture which would extend beyond the date of discharge, release, or death.

480702. End of Term of Service, Unauthorized Absence, or Desertion

The end of term of service of a member in military confinement, unauthorized absence or desertion of a member, stops collections of uncollected forfeitures since no pay accrues against

4812 FORFEITURE SENTENCES CARRIED OVER TO SUBSEQUENT RESERVE COMPONENT DUTY

481201. General

In the case of a forfeiture sentence carried forward according to paragraph 480609, convert the stated amount of forfeiture to a percentage using the monthly rate of basic pay in Table 1-7 through 1-10 for the member's grade and length of service on the date the forfeiture sentence is approved. Apply that percentage to the pay for every period of duty the member actually performs during the stated period of the forfeiture sentence.

481202. Collection

The forfeiture sentence is satisfied by collection from however few periods of duty the member performs during the stated period of forfeiture. With regard to collection, apply the following:

A. If a member performs periods of duty without forfeiture collection, the amount not collected on the basis of paragraph 481103 becomes an amount due the United States.

B. Otherwise, collect the forfeiture at the percentage rate computed according to paragraph 481201 from all periods of duty during the stated period of forfeiture.

481203. Time Restriction

Note that the forfeiture sentence is satisfied by collection from duty performed during the stated period of forfeiture only. If a member performs no duty during the stated period of the forfeiture sentence, no further collection action is necessary.

Example

A. A member, E-4, receives a sentence which includes a forfeiture (either nonjudicial punishment or court-martial sentence) of \$200 a month for 2 months (\$400).

B. The member's monthly rate of pay is \$912.60.

C. Convert the original forfeiture to a percentage, $(200/912.60) = 21.92\%$.

D. For each period of duty performed during the stated period of the sentence, collect 21.92% of the member's pay from active duty and inactive duty training pay.

CHAPTER 49

NON-JUDICIAL PUNISHMENT

*4901 GENERAL

Under authority of Article 15, Uniform Code of Military Justice (UCMJ), authorized commanders may impose non-judicial punishment for minor offenses without resorting to courts-martial.

4902 AUTHORIZED PUNISHMENTS AFFECTING PAY

Non-judicial punishments which affect pay are forfeiture of pay, reduction in grade, or a combination of these. Except as provided in this chapter, provisions of Chapter 48 relating to forfeiture of pay and reduction in grade by courts-martial also apply when such penalties are imposed as non-judicial punishment.

4903 LIMITATIONS

490301. Maximum Forfeiture of Pay

The maximum forfeiture of pay which may be imposed under Article 15, UCMJ, is outlined in the Manual for Courts-Martial, United States (2012 Edition), part V and 10 United States Code 815.

490302. Concurrent Courts-Martial and Non-Judicial Forfeitures

When non-judicial forfeitures run concurrently with partial courts-martial forfeitures which are subject to the two-third's limitation, the maximum total amount collectible is two-thirds of the pay subject to forfeiture.

490303. Reduction in Grade

When punishment includes both a reduction in grade, whether or not suspended, and a forfeiture of pay, the forfeiture is based on the grade to which reduced.

4904 SUSPENSION, REMISSION, AND MITIGATION

See Table 49-1.

4905 EXECUTION OF PUNISHMENT DURING APPEAL PROCEDURES

A member who incurs non-judicial punishment considered unjust or out of proportion to the offense may, through proper channels, appeal to the next higher authority. The member may be required to undergo the adjudged punishment pending determination of the appeal.

Table 49-1. Suspension, Remission, Setting Aside, and Mitigation of Non-Judicial Punishment

R U L E	A	B	C	D
	When non-judicial punishment is	and the punishment has	then the officer imposing the punishment, or the successor in command, may suspend the punishment probationally	or
1	reduction in grade	not been executed (note 1)	at any time	remit or set the reduction aside, or mitigate it to a forfeiture (note 2).
2	forfeiture of pay			remit or set the forfeiture aside (in whole or in part) or mitigate it to lesser forfeiture.
3	reduction in grade	been executed	only within 4 months after imposition	set the punishment aside in whole or in part or mitigate it to forfeiture (note 2 and 3).
4	forfeiture			set the punishment aside in whole or in part (note 3).

NOTES:

1. An uncollected forfeiture of pay is considered to be unexecuted during the period for which it was imposed. Upon the expiration of the forfeiture period all unsuspended forfeitures, whether or not collected, are fully executed.
2. If mitigated, the amount of forfeiture or detention may not be greater than the amount that could have been imposed initially by the officer who imposed the reduction in grade.
3. Usually, this is done within 4 months after the punishment has been executed.