

Office of the Secretary of Defense

§ 88.1

Address	Fee	Remarks
State of New Mexico, Department of Public Safety, Records Bureau, PO Box 1628, Sante Fe, NM 87504-1628.	5	Write or call for form, name check, notary required, COMM: 505-827-9181.
State of New York, Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, NY 12203.	No check	No release at current time, state requires an agreement with agency to process, COMM: 518-485-7685.
State of North Carolina, Division of Criminal Information, Bureau of Investigation, 407 North Blount Street, Raleigh, NC 27601-1009.	14	Fingerprint form required, copy of Pub. L. required, call/write for form, COMM: 919-662-4500.
State of North Dakota, Bureau of Criminal Information, PO Box 1054, Bismark, ND 58502.	20	Name check, written consent required, COMM: 702-221-6180.
State of Ohio, Bureau of Criminal Information, PO Box 365, London, OH 43140.	15	Write or call for form, written consent required, fingerprints required, COMM: 614-852-2556.
State of Oklahoma, Oklahoma Law Enforcement, Criminal History Information, ATTN: Criminal History, PO 11497, Oklahoma City, OK 73136.	10	Write or call for form, name check, COMM: 405-848-6724.
State of Oregon, Criminal ID, State Police, 155 Cottage Street, NE, Salem, OR 97310.	10	Name check, COMM: 503-378-3070.
State of Pennsylvania, Records and ID Division, Pennsylvania State Police, Dept. HQ, 1800 Elmerton Avenue, Harrisburg, PA 17110.	10	Write or call for form, name check, 10 COMM: 717-783-5592.
State of Rhode Island, Rhode Island State Police, PO Box 185, North Scituate, RI 02857.	No fee	Name check, written consent required, COMM: 401-647-3311.
State of South Carolina, State Law Enforcement Division, ATTN: Criminal Records, PO Box 21398, Columbia, SC 29221-1398.	10	Name check, COMM: 803-737-4205, DSN: 734-1110.
State of South Dakota, Division Criminal Investigation, Attorney General's Office, East Highway 34, Pierre, SD 57501-5070.	15	Write or call for form, fingerprints required, COMM: 605-773-3334.
State of Tennessee, Tennessee Criminal Information Center, Tennessee Bureau of Investigation, PO Box 100940, Nashville, TN 37210.	23	Write or call for form, fingerprints required, COMM: 615-741-3241.
State of Texas, Texas Crime Records Division, Texas Dept. of Public Safety, PO Box 15999, Austin, TX 78761-5999.	15	Fingerprints required, written consent required, COMM: 512-465-2079.
State of Utah, Bureau of Criminal Identification, Utah Dept. of Public Safety, 4501 South 2700 West, Salt Lake City, UT 84119.	No fee	Write or call for form, name check, copy of law required, COMM: 801-965-4571.
State of Vermont, Vermont Criminal Information Center, Dept. of Public Safety, PO Box 189, Waterbury, VT 05676.	No fee	Name check, written consent required, COMM: 802-244-8786.
Commonwealth of Virginia, Virginia Records Management Div., Dept. of State Police, PO Box 850761, Richmond, VA 23261-5076.	10	Write or call for form, name check, COMM: 804-674-2024.
State of Washington, Washington, State Patrol, Identification Section, PO Box 42633, Olympia, WA 98504-2633.	10	Write or call for form, name check, COMM: 206-753-0230/7272.
West Virginia State Police, Dept. of Public Safety, 725 Jefferson Road, South Charleston, WV 25309.	5	Write or call for form, name check, COMM: 304-746-2180.
State of Wisconsin, Crime Information Bureau, Dept. of Justice, ATTN: Records Data Unit, PO Box 2718, Madison, WI 53701-2718.	2	Write or call for form, name check, COMM: 608-266-7314.
State of Wyoming, Division of Criminal Investigation, 316 West 22nd Street, Cheyenne, WY 82002.	15	Write or call for form, fingerprints required, written consent required, COMM: 307-777-7181.

PART 88—TRANSITION ASSISTANCE FOR MILITARY PERSONNEL

§ 88.1 Purpose.

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- 88.1 Purpose.
- 88.2 Applicability and scope.
- 88.3 Definitions.
- 88.4 Policy.
- 88.5 Responsibilities.
- 88.6 Information requirements.

(a) This part supersedes the Assistant Secretary of Defense For Force Management and Personnel memorandum,¹ "Policy Changes For Transition Assistance Initiatives," June 7, 1991, establishes policy, and assigns responsibilities for transition assistance programs

AUTHORITY: 10 U.S.C. chapter 58.

¹Copies may be obtained, at cost, from the Directorate of Transition Support and Services, Office of the Assistant Secretary of Defense for Personnel and Readiness, 4000 Defense Pentagon, Washington, DC 20301-4000.

SOURCE: 59 FR 14559, Mar. 29, 1994, unless otherwise noted.

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for active duty military personnel and their families.

(b) Implements transition assistance programs for DoD military personnel and their families as outlined in section 502, Public Law 101-510; section 661 and section 662, Public Law 102-190, and sections 4401-4501, Public Law 102-484.

§ 88.2 Applicability and scope.

This part applies to: (a) The Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, and the Defense Agencies (hereafter referred to collectively as “the DoD Components”). The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

(b) All active duty Service members and their families.

§ 88.3 Definitions.

(a) *Involuntary separation.* A member of the Military Service shall be considered to be involuntarily separated if he or she was on active duty or full-time National Guard duty on September 30, 1990 and:

(1) In the case of a Regular officer (other than a retired officer), he or she was involuntarily discharged under other than adverse conditions, as characterized by the Secretary of the separating Service member’s Military Department. Discharge under adverse conditions is determined by referring to the reason for separation as well as the officer’s service, as outlined in Department of Defense Directive 1332.30.²

(2) In the case of a Reserve officer who is on the active duty list or, if not on the active duty list, is on full-time active duty (or in the case of a member of the National Guard, full time National Guard duty) for the purpose of organizing, administering, recruiting, instructing, or training the Reserve components, he or she is involuntarily discharged or released from active duty or full-time National Guard duty (other than a release from active duty or full-time National Guard duty incident to a transfer to retired status)

under other than adverse conditions as characterized by the Secretary of the separating Service member’s Military Department. Discharge under adverse conditions is determined by referring to the reason for separation as well as the officer’s service, as outlined in Department of Defense Directive 1332.30.

(3) In the case of a Regular enlisted member serving on active duty, he or she is denied reenlistment or involuntarily discharged under other than adverse conditions, as characterized by the Secretary of the separating Service member’s Military Department. Discharge under adverse conditions is determined by referring to the reason for separation as well as the enlisted member’s service, as outlined in Department of Defense Directive 1332.14.³

(4) In the case of a Reserve enlisted member who is on full-time active duty (or in the case of a member of the National Guard, full-time National Guard duty) for the purpose of organizing, administering, recruiting, instructing, or training the Reserve components, he or she is denied reenlistment or is involuntarily discharged or released from active duty (or full-time National Guard duty) under other than adverse conditions as determined by referring to the reason for separation as well as the enlisted member’s service, as outlined in Department of Defense Directive 1332.14.

(b) *Separation entitlements.* Benefits provided to Service members being involuntarily separated on or before September 30, 1995 as defined in paragraphs (a)(1) through (a)(4) of this section, and their families. Benefits provided to Service members being separated under the Special Separation Benefit or Voluntary Separation Incentive on or before September 30, 1995, as defined in paragraph (c) of this section and their families. These benefits include: Training opportunities under the Job Training Partnership Act as described in section 4465 of Public Law 102-484; priority affiliation with the National Guard and Reserve, as described in section 502(a)(1) of Public Law 101-510, as amended; enrolled in the All-Volunteer Force Educational Assistance Program (“Montgomery G.I. Bill”), as described

²Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

³See footnote 2 to section 88.3(a)(1).