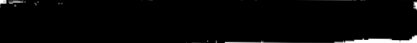






## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 	GRADE  SRA	AFSN/SSAN 
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TYPE	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>								
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YES	NO									
	X									

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENV
					X
					X
					X
					X
					X

ISSUES <b>A94.05</b>	INDEX NUMBER <b>A67.90</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b>			
HEARING DATE <b>28 MAR 03</b>		CASE NUMBER <b>FD2002-0416</b>		1 ORDER APPOINTING THE BOARD	
				2 APPLICATION FOR REVIEW OF DISCHARGE	
				3 LETTER OF NOTIFICATION	
				4 BRIEF OF PERSONNEL FILE	
				COUNSEL'S RELEASE TO THE BOARD	
				ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
		TAPE RECORDING OF PERSONAL APPEARANCE HEARING			

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

**REMARKS**  
**Case heard at Washington, D.C.**

**Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.**

SIGNATURE OF RECORDER 	SIGNATURE OF BOARD PRESIDENT 
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INDORSEMENT	DATE: <b>28 MAR 03</b>
TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Upgrade of discharge is denied.

The board finds that neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

**ISSUE:** The applicant states his discharge was improper because he believes his command abused its authority when it decided to discharge him. He further states that his discharge was based solely on one isolated incident. The record indicates the applicant received an Article 15 for conspiring with another airman to wrongfully make a military identification card. And, with the intent to deceive, sign an official record that was false. And, he wrongfully solicited another airman to wrongfully and falsely make a military identification card by altering dates of birth to reflect that a member is over the age of 21. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The Board found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge and that the characterization of the discharge received by the applicant was found to be appropriate.

**CONCLUSIONS:** The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

(Former SRA) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a UOTHC Disch fr USAF 26 Apr 01 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 14 Jan 75. Enlmt Age: 17 9/12. Disch Age: 26 3/12. Educ: HS DIPL. AFQT: N/A. A-39, E-38, G-41, M-26. PAFSC: 3P051 - Security Forces Journeyman. DAS: 4 Aug 99.

b. Prior Sv: (1) AFRes 10 Nov 92 - 20 Jun 93 (7 Mos 11 Days) (Inactive).

(2) Enld as AB 21 Jun 93 for 4 yrs. Svd; 3 Yrs 4 Mos 28 Das, all AMS. AMN - Unknown. A1C - (EPR Indicates): 21 Jun 93 - 20 Feb 95. SrA - (EPR Indicates): 21 Feb 96 - 20 Feb 97. EPRs: 4,5.

3. **SERVICE UNDER REVIEW:**

a. Reenld as SRA 18 Nov 96 for 4 yrs. Svd: 4 Yrs 5 Mos 9 Das, all AMS.

b. Grade Status: SrA - 8 Mar 01 (Article 15, 8 Mar 01)  
SSGT - 1 Jul 99

c. Time Lost: None.

d. Art 15's: (1) 8 Mar 01, Minot AFB, ND - Article 81. You, did, between 1 Sep 00 and on or about 2 Oct 00, conspire with A1C ----, and A1C --- to commit an offense under the UCMJ, to wit: wrongfully making of a military identification card, and in order to effect the object of the conspiracy the said A1C --- and A1C -----did contact SrA ---- and request military identification cards. Article 107. You, did, on or about 28 Nov 00, with intent to deceive, sign an official record, to wit: AF Form 1168, Statement of Suspect, which statement was false in that you said, "I never instructed anyone to obtain an ID from ---," or words to that effect and was then known by you to be so false. Article 134. You, did, between on or about 1 Sep 00 and on or about 30 Sep 00, wrongfully solicit SrA ----- to wrongfully and falsely make a military identification card by altering dates of birth to reflect that a member is over the age of twenty-one. Reduction to the grade of SrA, forfeiture of \$826.00 pay per month for 2 months, and 30 days extra duty. (No appeal) (No mitigation)

- e. Additional: LOA, 22 FEB 01 - Failure to make satisfactory progress on the Weight Management Program.  
 LOC, 18 JAN 01 - Failure to make satisfactory progress on the Weight Management Program.

f. CM: None.

g. Record of SV: 21 Feb 96 - 20 Feb 97 McClellan AFB 5 (Annual)  
 21 Feb 97 - 02 Jul 97 McClellan AFB 5 (CRO)  
 03 Jul 97 - 02 Jul 95 Izmir AS 4 (Annual)  
 03 Jul 98 - 02 Jul 99 Izmir AS 5 (Annual)  
 03 Jul 99 - 24 Feb 00 Minot AFB 4 (CRO)

(Discharged from Minot AFB )

h. Awards & Decs: AFAM W/1OLC, JMUA W/1OLC, AFOUA W/1OLC, AFGCM W/1OLC, NDSM, AFHSM, AFOSSTR, AFLSAR, NCOPMEGR, SAEMR W/1 BRONZE STAR, AFTR.

i. Stmt of Sv: TMS: (8) Yrs (5) Mos (17) Das  
 TAMS: (7) Yrs (10) Mos (6) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 30 Sep 02.  
 (Change Discharge to Honorable)

Issue 1: My commander abused his authority when he ordered me back from terminal leave three days after my terminal leave had ended. My command abused its authority when it decided to discharge me with an Other Than honorable discharge (sic). The discharge was based solely on one isolated incident in which I was punished with an Article 15 administrative punishment, nonjudicial. I was charged with being in violation of article 81, 107, and 134 all which we (sic) based on hear-say (sic). My punishment was reduction to the grade of Senior Airman/E-4, forfeiture of \$826.00 pay per month for 2 months and 30 days extra duty. On 13 Dec 01, I was charged with wrongful use/possession of a controlled substance which was dropped with the outcome of a urinalyze (sic).

Issue 2: I had a prior Honorable Discharge. I was allowed to reenlist on 19 Nov 96 in Incirlik Air Base Turkey after my first enlistment had expired.

Issue 3: I have been a good citizen since my discharge. I am currently working as a certified nursing assistance (CNA) in Mohall, ND and worked over one year. I am a volunteer EMT-B on the ambulance service in Lansford, ND and have been since I completed the course. I attend Apostolic Faith Church in Minot, ND regulary (sic) and have been since I moved back to North Dakota in August of 2001.

**ATCH**

1. Discharge Documents.

31Dec02/cr



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 5<sup>th</sup> BOMB WING (ACC)  
MINOT AIR FORCE BASE, NORTH DAKOTA

FD2002-0416

MEMORANDUM FOR CC

APR 12 2001

FROM: JA

SUBJECT: Legal Review – AFI 36-3208, Paragraph 5.50.2 Discharge,  
[REDACTED] 5 SFS

1. I have reviewed the administrative discharge action against [REDACTED] and find it legally sufficient to support his discharge from the Air Force.

2. BASIS FOR THE ACTION: Administrative action against [REDACTED] based upon a pattern of misconduct pursuant to AFI 36-3208, Section H, paragraph 5.50.2 (Conduct Prejudicial to Good Order and Discipline). The pattern of misconduct consists of the following acts: Between about or about 1 Sep 00 and on or about 28 Nov 00, [REDACTED] engaged in the following misconduct:

(a) Between on or about 1 Sep 00 and on or about 2 Oct 00, [REDACTED] conspired with two fellow airman to commit an offense under the UCMJ, to wit: wrongfully making false military identification cards, and in order to effect the object of the conspiracy the two airmen contacted another military member and requested the false military identification cards.

(b) On or about 28 Nov 00, with the intent to deceive, [REDACTED] signed an official record, to wit: AF Form 1168, Statement of Suspect, which statement was false in that he said, "I never instructed anyone to obtain an ID from [REDACTED]," or words to that effect, and which statement was then known by him to be so false.

(c) Between on or about 1 Sep 00 and on or about 30 Sep 00, [REDACTED] wrongfully solicited a fellow military member to wrongfully and falsely make a military identification card by altering the dates of birth to reflect that a member was over the age to twenty-one.

For these acts of misconduct [REDACTED] was punished under Article 15 of the UCMJ on 8 Mar 01, and an Unfavorable Information File was established. (Atch 1)

3. MATTERS SUBMITTED BY THE RESPONDENT: On 30 Mar 01, [REDACTED] consulted with [REDACTED] Area Defense Counsel at Minot AFB, ND, and submitted an unconditional waiver, waiving his right to an administrative board. [REDACTED] did not waive his right to submit statements on his own behalf. On 5 Apr 01, [REDACTED] submitted a 39 page statement including his response to this action, [REDACTED] response to this action, and various character statements and Letters of Appreciation.

(a) [REDACTED] states that he has proudly served his country for close to 8 years and asks that his entire career and military record be considered in making a decision on his discharge. He states that he wants to stay in the Air Force. Even though he had to be brought back off terminal leave, he never wanted to leave the Air Force in the first place. He denies that he committed the offenses for which he was punished under Article 15, even though he was told that he might have a better chance of being retained or avoiding a UOTHC discharge if he admitted that he is guilty. He states that he couldn't admit to something that he didn't do. He admits that he did not act appropriately, but states that he is not guilty of those crimes and it was all a misunderstanding. He states that his feelings toward the Air Force have not changed. Finally, he states that he still believes the Air Force is the best decision he has ever made and he shall always take the core values with him and they will be his guide.

(b) [REDACTED] states that [REDACTED] misconduct is not the type contemplated by paragraph 5.50 or paragraph 5.50.2 of AFI 36-3208. [REDACTED] argues that [REDACTED] misconduct resulted in a single Article 15, and that the three charges arose from essentially one incident. He thus claims that this discharge action is inappropriate because there is no pattern of misconduct, but what is in essence one incident by an airman without any prior disciplinary history. [REDACTED] also claims that this discharge file contains no indication that [REDACTED] misconduct had the type of impact to good order and discipline contemplated by paragraph 5.50.2. [REDACTED] then alleges that [REDACTED] should not receive an under other than honorable conditions service characterization. He states that [REDACTED] performance reports show an excellent military record tarnished by only one occurrence of misconduct. [REDACTED] also stresses that [REDACTED] was able to obtain five character references from NCOs even though he is facing discharge for this misconduct. [REDACTED] then argues that [REDACTED] misconduct is not egregious enough to warrant a UOTHC discharge. Finally, [REDACTED] alleges that [REDACTED] did not abuse a special position of trust as an NCO or a security forces member because there was no superior-subordinate relationship with the people with whom he was involved, and because there is no indication that [REDACTED] used his authority or status to facilitate his crime.

4. COMMANDER'S RECOMMENDATION: The squadron commander has considered [REDACTED] character statements, Letters of Appreciation, and his written response to the recommendation for discharge. However, the commander still recommends that [REDACTED] be discharged with an under other than honorable conditions discharge.

5. DISCUSSION: There are four questions that must be addressed before discharging [REDACTED]. They are as follows.

a. BASIS FOR DISCHARGE: In deciding whether [REDACTED] is to be discharged, you must first determine if there is a basis for discharge. In determining whether there is a basis for discharge, you may only consider the misconduct described in paragraph 2.

(1) [REDACTED] did engage in a pattern of misconduct. In early Sep 00, then [REDACTED] approached a senior airman and asked her if she could change the dates of birth on military identification cards to show that members were over 21 years old. He then told her that he would be sending some friends her way. Later in that same month, on two separate occasions [REDACTED] told two airmen first class who were under 21 years old that they could get false identification cards by contacting the senior airmen that he had previously solicited to make false identification cards. On separate occasions, these two airmen first class contacted the senior airman and had false identification cards made. When [REDACTED] was confronted regarding these crimes by investigators on 28 Nov 00, he made a false official statement by denying that he had ever told anyone to get a false identification card from the senior airman. Contrary to [REDACTED] contention that this discharge is based on what is essentially one incident, a review of the facts shows that [REDACTED] engaged in a pattern of misconduct consisting of at least four distinct incidents. Additionally, each of these incidents alone could have supported an Article 15 or a court-martial. Although it is true that [REDACTED] was punished for all of these incidents in one action under Article 15, that in no way changes the fact that this was a pattern of misconduct. Therefore, it is appropriate to proceed with this discharge action under paragraph 5.50.

(2) More specifically, it is appropriate to proceed with this action under paragraph 5.50.2 because this pattern of misconduct was prejudicial to good order and discipline. While [REDACTED] cites a portion of paragraph 5.50.2 and claims that [REDACTED] misconduct does not fit under this paragraph, he fails to cite the following sentence, which states that conduct prejudicial to good order and discipline "also includes conduct of a nature that tends to bring discredit on the Air Force in the view of the civilian community." The reason that [REDACTED] helped these other airmen get fake identification cards was so that they could get into civilian bars and drink alcohol. This would certainly tend to bring discredit on the Air Force, especially if those in the civilian community knew that these military members were obtaining altered identification cards from the very source where official military identification cards are made. Additionally, the first sentence of paragraph 5.50.2 explains that this paragraph "includes conduct of a nature that tends to disrupt order, discipline, or morale within the military community." While [REDACTED] argues that "these broad, catch-all inclusions could arguably define even the most minor offenses," the fact is that [REDACTED] offenses are not the most minor offenses. They involve conspiring with and soliciting airmen to commit offenses. He also made a false official statement to investigators. What's more, [REDACTED] was an NCO at the time, and was on duty in his law enforcement patrol car on at least one of the occasions when he committed this misconduct. The very person that was

supposed to be enforcing the law on Minot AFB was actually the person that was breaking the law and encouraging others to do so. This shows by a preponderance of the evidence (the applicable standard) that his misconduct would tend to disrupt order, discipline, and morale within the military community. And contrary to [REDACTED] argument, it also shows that this misconduct could cause disruption and degradation of mission effectiveness. Therefore, the facts documented in that paragraph 2 of this legal review show that [REDACTED] engaged in a pattern of misconduct that is prejudicial to good order and discipline. Thus, a basis for discharge exists under AFI 36-3208, paragraph 5.50.2.

b. **APPROPRIATENESS OF DISCHARGE:** Next, you must determine whether [REDACTED] should be discharged. You may consider [REDACTED] entire military record when making this determination. [REDACTED] has failed to conform to Air Force standards and regulations. Both [REDACTED] and [REDACTED] claim that [REDACTED] has had almost eight years of outstanding service to the Air Force. From reviewing his EPRs, letters of appreciation, and awards, it appears that he did perform satisfactorily in the past. However, no one earns the right to become a criminal. [REDACTED] abused his position as an NCO and as a law enforcement patrolman. The fact that he was not in a superior-subordinate relationship with any of these airmen is irrelevant. He engaged in a pattern of misconduct, and used his special position to further his own personal agenda. He was entrusted with the duty to uphold the law, and he not only failed to uphold it, but also failed to obey it himself. In fact, he encouraged other junior ranking airmen to commit crimes. Therefore, [REDACTED] should not remain in the Air Force.

(1) [REDACTED] has 7 years and 9 months active duty service. His current enlistment began on 18 Nov 96. He has five EPR evaluations in his current enlistment. (Atch 5)

(2) On 9 Apr 01, [REDACTED] commander recommended that he be discharged with an under other than honorable conditions discharge. After reviewing the case file, I concur with that recommendation.

c. **CHARACTERIZATION OF SERVICE:** If you determine that [REDACTED] should be discharged, you must also determine the characterization of discharge. Characterization of service will be determined solely by the member's military record during the current enlistment. Following are the three types of characterization of service.

(1) **Under Other Than Honorable:** An under other than honorable conditions discharge is appropriate when the airman's conduct is a serious departure from the standards expected of airmen.



(2) General: If the case file does not demonstrate such a serious departure from expected standards, but significant negative aspects of an airman's conduct outweigh the positive aspects, then a general discharge is appropriate.

(3) Honorable: An honorable discharge is appropriate when the quality of a member's service record generally has met Air Force standards of acceptable conduct and performance of duty, or has been so meritorious that any other characterization would be clearly inappropriate.

In this case, [REDACTED] misconduct has been so deleterious as to warrant an under other than honorable conditions discharge. [REDACTED] abused his special position of trust. He was both an NCO and a law enforcement patrolman when he committed the misconduct which led to this administrative discharge action. His discharge is based on multiple acts that constitute a significant departure from the conduct expected of airmen. Thus, the guidance in paragraph 1.18.3 of AFI 36-3208 regarding service characterization shows that he should receive an under other than honorable conditions discharge. Additionally, paragraph 5.48.1 states that usually discharges under paragraph 5.50.2 should be under other than honorable conditions. That is clearly the case here. Even though [REDACTED] had a satisfactory service record prior to this misconduct, his service has not been so meritorious as to warrant an honorable or general discharge, considering the amount and severity of his misconduct. According to paragraph 1.17.3, "there are circumstances. . . in which the conduct or performance of duty reflected by a single incident, particularly in a misconduct case, may provide the basis for characterizing service." Rather than a single incident, [REDACTED] engaged in several incidents of misconduct. Each of these incidents standing alone could have supported punishment under Article 15, or even trial by court-martial. Therefore, [REDACTED] misconduct, when balanced with his military record during this current enlistment, justifies the awarding of an under other than honorable conditions discharge.

d. PROBATION AND REHABILITATION: If you decide that discharge is warranted, you must also decide if probation and rehabilitation (P&R) is appropriate. [REDACTED] commander does not recommend P&R. He has shown a complete lack of integrity by engaging in this pattern of misconduct. He has also abused his position as an NCO and as a law enforcement patrolman. [REDACTED] retention on active duty in a probationary status is not consistent with the maintenance of good order and discipline in the Air Force. Accordingly, P&R should not be offered in this case.

6. ERRORS AND IRREGULARITIES: There are no errors or irregularities which materially affect the procedural or substantive rights of the member.

7. ACTION WHICH MAY BE TAKEN: As the SPCM authority, your options are:

- a. Retain [REDACTED] if the evidence does not support discharge; or,
- b. Return the case to the squadron for processing under a more appropriate provision; or,
- c. Recommend 8 AF/CC reject [REDACTED] unconditional waiver and convene an administrative discharge board; or,
- d. Recommend 8 AF/CC accept [REDACTED] unconditional waiver and discharge him with an honorable discharge, with or without suspension for probation and rehabilitation; or,
- e. Recommend 8 AF/CC accept [REDACTED] unconditional waiver and discharge him with a general discharge, with or without suspension for probation and rehabilitation; or,
- f. Recommend 8 AF/CC accept [REDACTED] unconditional waiver and discharge him with an under other than honorable conditions discharge, with or without suspension for probation and rehabilitation.

8. RECOMMENDATION: That you recommend 8 AF/CC accept [REDACTED] unconditional waiver and separate him with an under other than honorable conditions discharge without suspension for probation and rehabilitation. If you concur, please sign the letter at Attachment 1.

[REDACTED]

Attachment:

- 1. Recommendation Letter
- 2. Case File



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 5TH BOMB WING (ACC)  
MINOT AIR FORCE BASE, NORTH DAKOTA

FD2002-0416

MAR 29 2001

MEMORANDUM FOR SRA [REDACTED] 5 SFS

FROM: 5 SFS/CC

SUBJECT: Letter of Notification – Board Entitled – AFI 36-3208, Para 5.50.2

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct, specifically conduct prejudicial to good order and discipline, according to AFD 36-32, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, under the provisions of paragraph 5.50.2. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are: Between about or about 1 Sep 00 and on or about 28 Nov 00, you engaged in the following misconduct:

(1) Between on or about 1 Sep 00 and on or about 2 Oct 00, you conspired with two fellow airman to commit an offense under the UCMJ to wit: wrongfully making false military identification cards, and in order to effect the object of the conspiracy the two airmen contacted another military member and requested the false military identification cards.

(2) On or about 28 Nov 00, with the intent to deceive, you signed an official record, to wit: AF Form 1168, Statement of Suspect, which statement was false in that you said, "I never instructed anyone to obtain an ID from [REDACTED]" or words to that effect, and which statement was then known by you to be so false.

(3) Between on or about 1 Sep 00 and on or about 30 Sep 00, you wrongfully solicited a fellow military member to wrongfully and falsely make a military identification card by altering the dates of birth to reflect that a member was over the age to twenty-one.

For these acts of misconduct you were punished under Article 15 of the UCMJ on 8 Mar 01, and an Unfavorable Information File was established. (Atch 3)

3. This action could result in your separation with an under other than honorable conditions discharge. I am recommending that you receive an under other than honorable conditions discharge. The commander exercising special court-martial jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces and any special pay, bonus, or education assistance funds may be subjected to recoupment.

*Global Power for America*

4. You have the right to:
  - a. Consult legal counsel.
  - b. Present your case to an administrative discharge board.
  - c. Be represented by legal counsel at a board hearing.
  - d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.
  - e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.
5. You have been scheduled for a medical examination. You must report to the Physical Exam Section, 5th Medical Group Hospital, 10 Missile Avenue, Minot AFB, ND, at 1400 hours on 2 April 2001, for the examination.
6. Military legal counsel has been obtained to assist you. An appointment has been scheduled for you to consult with [REDACTED] the Area Defense Counsel, at 300 Summit Drive, Room 306A, at 0900 hours on 30 March 2001. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201, *Administration of Military Justice*. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.
7. Confer with your counsel and reply, in writing, within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.
8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in the Orderly Room.
9. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.

10. Execute the attached acknowledgment and Statement of Understanding and return them to me immediately.



Attachments:

1. Receipt of Letter of Notification
2. Statement of Understanding
3. AF FM 3070, Record of Nonjudicial Punishment Proceedings, 14 Mar 01 w/ Atch
4. Letter of Counseling, 18 Jan 01
5. Letter of Admonishment, 22 Feb 01