

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	GRADE SRA	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE UOTH	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">YES</td> <td style="width:50%; text-align: center;">No</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;">X</td> </tr> </table>	YES	No		X		
YES	No					
	X					

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
		X			*+
		X			*+
		X			*+
		X			*+
		X			*+

ISSUES A94.05	INDEX NUMBER A84.00	EXHIBITS SUBMITTED TO THE BOARD														
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:5%; text-align: center;">1</td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;">2</td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;">3</td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;">4</td><td>BRIEF OF PERSONNEL FILE</td></tr> <tr><td></td><td>COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td></td><td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td></td><td>TAPE RECORDING OF PERSONAL APPEARANCE HE</td></tr> </table>	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 HE
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HEARING DATE 29 Mar 2007	CASE NUMBER FD-2006-00445	
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard in 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.

Names and votes will be made available to the applicant at the applicant's request.

* Reason and Authority
+ Reenlistment Code

INDORSEMENT	DATE: 4/23/2007
TO: SAF/MRBR 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, 3RD FLOOR ANDREWS AFB, MD 20762-7002

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2006-00445

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.

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

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

FINDINGS: Upgrade of discharge to Honorable, change of reason and authority for discharge, and change of reenlistment code are denied. However, the Board grants an upgrade of discharge to General.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's character of discharge is inequitable.

ISSUE:

Issue 1. Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant was discharged due to unsatisfactory participation. The records indicate the applicant was notified by her commander of the demotion and discharge actions as a result of unsatisfactory participation and told the type of separation would be Under Other Than Honorable Conditions. While the DRB did not condone the applicants unexcused absences, they did feel it would have been more equitable to give her a General discharge.

Issue 2. The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The DRB noted that when the applicant applied for these benefits, she signed a statement that she understood she must receive an Honorable discharge to receive future educational entitlements. The Board was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety which would warrant an upgrade.

If she can provide additional documented information to substantiate an issue, the applicant should consider exercising her right to make a personal appearance before the Board. If she should choose to exercise her right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by a General discharge. Therefore, the applicant's characterization for discharge should be changed to General.

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 ANG Ft. Smith, AR on 23 Dec 02 UP AFI 36-3209, para 3.13.2 (Unsatisfactory Participation). Appeals for Honorable Discharge, to Change the RE Code, and Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 22 Oct 76. Enlmt Age: 18 3/12. Disch Age: 26 2/12. Educ: HS DIPL. AFQT: N/A. A-82, E-62, G-72, M-58. PAFSC: 1C551 - Aerospace Control and Warning Specialist. DAS: 3 Jan 01.

b. Prior Sv: (1) Enlisted Arkansas ANG as AB 26 Jan 95 for 6 yrs. Svd: 1 yr 10 months 23 days, of which AMS is 3 months 18 days. A1C - 1 Jul 96.

(2) Enlisted Washington ANG as A1C 19 Dec 96 for 4 yrs. Svd: 4 yrs 0 months 14 days, of which AMS is 3 yrs 7 months 25 days. SSgt - 10 Aug 00.

3. **SERVICE UNDER REVIEW:**

a. Enlisted Arkansas ANG as SSgt 3 Jan 01 for 6 yrs. Svd: 1 Yrs 11 Mo 21 Das, (Inactive).

b. Grade Status: SRA - 2 Jan 02 (Demotion).

c. Time Lost: None.

d. Art 15's: None.

e. Additional: MEMO, 15 NOV 01 - Six or more unexcused absences.
MEMO, 03 JAN 01 - Four unexcused absences.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFLSAR, AFTR, NCOPMER, NDSM, SAEMR, CBT RDY MDL, AFOUA, AFEXC, AFRESM, ARFMSM.

i. Stmt of Sv: TMS: (07) Yrs (10) Mos (28) Das
TAMS: (03) Yrs (11) Mos (13) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 13 Nov 06.

(Change Discharge to Honorable, Change the RE Code, and Change the Reason for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. NGB 22.
3. ANG Honorable Discharge Certificate.
4. Award Certificate.
5. Training Certificate.
6. Four Photographs.

10JAN07/ia

APPLICATION FOR THE REVIEW OF DISCHARGE OR DISMISSAL FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

Form Approved
OMB No. 0704-0004
Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0004), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.

a. BRANCH OF SERVICE (X one) ARMY MARINE CORPS NAVY AIR FORCE COAST GUARD

b. NAME (Last, First, Middle Initial) _____ c. GRADE/RANK AT DISCHARGE **E-3** d. SOCIAL SECURITY NUMBER _____

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) **20030125**

4. DISCHARGE CHARACTERIZATION RECEIVED (X one)
 HONORABLE
 GENERAL/UNDER HONORABLE CONDITIONS
 UNDER OTHER THAN HONORABLE CONDITIONS

5. BOARD ACTION REQUESTED (X one)
 CHANGE TO HONORABLE
 CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
 CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
 CHANGE NARRATIVE REASON FOR SEPARATION TO:

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION
188th Fighter Wing, Fort Smith, AR

BAD CONDUCT (Special court-martial only)
 UNCHARACTERIZED
 OTHER (Explain)

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 14. See instructions on Page 3.)

1) Character of service: I believe the characterization of my service to be inequitable because it is based solely on the situation surrounding my discharge - the assumption that I was absent without leave, when in fact, I had communicated with my immediate supervisor and was under the impression-by his words-that HE would be in touch with ME when needed. Please see remarks.

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) _____ AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 17. If military documents or medical records are relevant to your case, please send copies.)
 To my knowledge, no documents are applicable as evidence. If you discover otherwise, please contact me at the number listed below and I will do my best to accommodate your needs.

9. TYPE OF REVIEW REQUESTED (X one)

CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.
 I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.
 I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

10. a. COUNSEL/REPRESENTATIVE (if any) NAME (Last, First, Middle Initial) AND ADDRESS (See item 10 of the instructions about counsel/representative.) _____
 b. TELEPHONE NUMBER (Include Area Code) _____
 c. E-MAIL _____
 d. FAX NUMBER (Include Area Code) _____

11. APPLICANT MUST SIGN IN ITEM 13.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate and relationship by marking a box below.

SPOUSE WIDOW WIDOWER NEXT OF KIN LEGAL REPRESENTATIVE OTHER (Specify) _____

12. a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE (Forward notification of any change in address.) _____
 b. TELEPHONE NUMBER (Include Area Code) _____
 c. E-MAIL _____
 d. FAX NUMBER (Include Area Code) _____

13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. (U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)

a. _____ b. DATE SIGNED - REQUIRED (YYYYMMDD) **2006/12/22**

CASE NUMBER (Do not write in this space.)
 FD 2006-00445

14. CONTINUATION OF ITEM 8, ISSUES (If applicable)

2) Reenlistment Eligibility: I am requesting that my Reenlistment status be restored to Eligible, since my performance-even during discharge-was in accordance with the discussion that took place between he and I.

3) Present/Last Pay Grade: I am requesting that my rank be restored to E-5 Staff Sergeant, since the reason given for demotion was that I had failed to attend drill and perform my duties (which at the time was reading "regs") when, in fact, I had discussed this problem with my supervisor and felt that he had excused me from this obligation in leu of the paperwork process.

I am requesting a change to the characterization of my discharge from "Less than Honorable" to "Honorable" (or Under Honorable Conditions) since I cannot justly bear the sole consequence for the communication error(s) and misunderstandings that took place during the period of time that my supervisor was "taking care of it [my discharge paperwork]". Please see remarks.

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

16. REMARKS (If applicable)

I was sorely dissatisfied with my job placement, since I was not able to secure a slot at Tech School, and was not able to perform any duties in contact with patients until I received such training. Instead, I was confined to a room by myself each drill period, where I read binders full of regulations for every hour of drill weekend. When I explained my dissatisfaction to my supervisor - I asked permission to resign rather than sign another contract under the present conditions. I also made it very clear that I had no desire to spend another drill weekend doing what I was doing. I asked that he tell me what I needed to do-or what paperwork I needed to accomplish. He replied "I'll take care of it". Over the next two or three months, I did attempt to contact my supervisor to see how things were going, but was unable to reach him. A lack of communication from my supervisor to other superiors, led to the assumption that I was absent without leave during the period of time that I was waiting for word that paperwork was ready for me to sign. Suddenly, I received two letters on the same day: the first stating that I had been demoted to E-4; the second stating that I had been demoted, again, and then discharged.

Although I wanted to avoid signing another 8-year contract under those circumstances, I certainly did NOT want the decision to be permanent. I had no idea that there was such a person as a Career Advisor or a Retention Officer. I only found out recently, that I should have been referred to BOTH. Please consider my testimony. I would very much like to have-first and foremost-the opportunity to reenlist in the future if I should choose, and-secondly-the privilege of benefits (such as educational assistance) which I rightfully earned, but am not able to access under "less than honorable" conditions.

I would prefer for the board to review my discharge status based on my records and my testimony, however, if necessary, I am willing to appear before a local board. My sincere gratitude for your consideration in this matter.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

<p align="center">ARMY</p> <p>Army Review Boards Agency Support Division, St. Louis 9700 Page Avenue St. Louis, MO 63132-5200 (See http://arba.army.pentagon.mil)</p>	<p align="center">NAVY AND MARINE CORPS</p> <p>Naval Council of Personnel Boards 720 Kennon Street, S.E. Room 309 (NDRB) Washington Navy Yard, DC 20374-5023</p>
<p align="center">AIR FORCE</p> <p>Air Force Review Boards Agency SAF/MRBR 550-C Street West, Suite 40 Randolph AFB, TX 78150-4742</p>	<p align="center">COAST GUARD</p> <p>U.S. Coast Guard Commandant (G-WPM) 2100 Second Street, S.W. Room 5500 Washington, DC 20693</p>

FD 7006-00445

1 October 2005

ATTN: Board for Correction of Military Records
FROM: [Redacted]
RE: NGB 22-2003

Honorable Members of the Board

I respectfully request a correction to the following areas of my service record:

- 1. Character of Service
- 2. Reenlistment Eligibility

The following is my testimony to the events which led toward the remarks in error on my most recent NGB22 Form, dated 1/25/2003 (included in Supporting Documents):

Upon completing my AGR service in Washington State, I requested to be transferred to the Arkansas Air National Guard, to continue my military career, part-time. Because my previous AFSC did not exist in the area, I had no choice but to retrain into a different career-field. I chose to retrain as a Dental Assistant, and accepted an open position in the Dental Squadron which was abandoned by another Airman.

During the next few months, I attended drills, and attempted to meet every expressed duty required of me. However, it quickly became difficult to impress my superiors in the manner which I was accustomed, due to

- A) a crippling lack of communication from other staff members, and
- B) an in-availability of my supervisor for necessary guidance/correction.

Because of the nature of my new job (Dental Health), I was not permitted to perform any kind of hands-on training, or handle the patients in any way until I had received formal training by attending Tech School. So, the duty given me by my supervisor, was to read the Dental Regulations, in my spare time. As you can imagine, I had an abundance of spare time. In the months that I consistently attended Guard Drills, I read those manuals for hours each day.

Many times during those drills, I would suddenly notice that there was a lack of noise in the offices around me. I would then get up, search the entire Clinic for another human being, only to discover that everyone had been summoned to a required Meeting, Briefing, or Classroom Training Activity. In extreme embarrassment, I would enter the meeting late, where shameful looks and giggles would emanate across the room. I didn't find it funny. I was humiliated and embarrassed that someone of my rank, an E-5, appeared to be unable to present myself, on-time, for required classes and training activities.

I couldn't understand why-in an office of 5 people-not a single one of them could fetch me from my assigned studies, so that I could attend these "required" sessions. I did go to my supervisor, eventually, and asked him for a written copy of the day's schedule, so that I would no longer be dependant on an office full of people who forgot that I was

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assigned to them. He motioned for me to pull it off of the bulletin board posted in the hallway. When I informed him that it wasn't there, he seemed puzzled, and stated "That's where it's supposed to be".

This repetitious lack of communication caused me a great deal of frustration and anxiety, since I whole-heartedly wanted to be seen as a leader-someone worthy to be placed in a position of greater responsibility. Over time, this frustration grew, and because of my supervisors' increasing responsibilities (he was also the Medical Squadron First Sergeant-along with various other positions and offices to go with them), locating him while on duty proved increasingly difficult. Eventually, I became mentally and emotionally exhausted.

I decided to find out how much longer I had to wait for the situation to change. I went to the Education/Training Office and inquired as to when I would be able to attend Tech School. The Sergeant there was somewhat surprised because she was not aware that I needed a school date. She immediately sat down to see what was available. Unfortunately, there was nothing. She explained that The Guard only gets one slot allotted to them during each school session, and due to reasons beyond her control, the Active Duty enlistees were "bumping" our students out. There were no available school dates for at least one year, and she informed me, that it was likely-the next year would be the same.

Once again, please let me remind you, that I had become mentally and emotionally exhausted, and just couldn't keep doing what I was doing. There appeared to be no way out of the crack I'd fallen through...so I tracked down my supervisor by phone, expressed my extreme frustration and my inability to continue spending Drill Weekends in the manner I had been, and requested the necessary paperwork to resign before having to sign another 8-year contract. His reply was "**Don't worry about it; I'll take care of it**". I asked if he would call me to let me know what I needed to sign...**He agreed to do this.**

Months passed by, without a word, while I was expecting a phone call from my superior. I did attempt to reach him a couple of times, but was unsuccessful. I have now discovered that my record shows my Character of Service as Less than Honorable, due to unsatisfactory participation, thereby disabling my Reenlistment Eligibility.

I ask you, please, to reconsider the circumstances which led to this unjust assessment my service. The many communication errors which occurred in this situation lead to this 'Less than Honorable' Discharge, and I firmly believe that is an injustice to prevent such a capable and motivated soldier from future service in our country's armed forces. Though I made my decision to separate for a time, I believe that service in the military is where I perform best; and, should I be granted another opportunity to serve, I would like to do so.

Respectfully Yours,

[Redacted signature area]

f. A statement that failure to appear at scheduled administrative discharge board hearing, after you indicated intention to make a personal appearance at such hearing, will result in the case being heard by the administrative discharge board in your absence.

g. A statement that if you or counsel needs additional time to prepare for or to attend the board hearing, you or counsel may submit a written request for delay stating the reasons and how much time is needed. The legal advisor for the board hearing will approve or disapprove this request.

8. The Privacy Act Statement (attached) covers any personal information you furnish. A copy of AFI 36-3209 is available for your use in the Military Personnel Flight, Building 102, Room 126.

9. Execute the attached "Acknowledgment of Receipt" within 24 hours after receipt of this letter, and return it to this office.



Commander, Medical Squadron

Attachments:

- 1. Acknowledgment of Receipt
- 2. Member's 1st endorsement
- 3. Privacy Act Statement
- 4. Copy Commander's Recommendation

Certified Mail # 711564972300 0000 0334/0341

FD 2006-00445

DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 188TH FIGHTER WING (ANG)
4850 LEIGH AVENUE
FORT SMITH, AR 72903-6096

27 Mar 02

MEMORANDUM FOR SRA: [redacted]

FROM: 188 MDS/CC

SUBJECT: Letter of Notification of Involuntary Discharge Under AFI 36-3209

1. I am recommending your involuntary discharge from the Air National Guard of the United States and as a Reserve of the Air Force. This recommendation is for Unsatisfactory Participation under the provisions of AFI 36-3209, paragraph 3.13.2. A copy of my recommendation is attached to this letter. You may request to view copies of documents to be forwarded to the separation authority.

2. My reason for action is based on your unsatisfactory participation on the following dates:

- | | | |
|----------------|----------------|------------------|
| 2 and 3 Jun 01 | 3 and 4 Nov 01 | 1 and 2 Dec 01 |
| 5 and 6 Jan 02 | 2 and 3 Mar 02 | 16 and 17 Mar 02 |

3. This action could result in your separation being characterized as **Under Other than Honorable Conditions**. This is what I am recommending to the discharge authority. The discharge authority is the Adjutant General of the Arkansas National Guard.

4. You are entitled to:

a. Consult legal counsel. Major [redacted] has been appointed as your military legal counsel and will, at your discretion, advise you regarding this situation. During the week, his business phone is (501) 312-8500. On UTA weekends, his duty phone is (501) 987-5278. You may consult civilian counsel at your own expense, or request military counsel of your choice (military counsel must be serving in an active military status).

b. Submit statements in your own behalf.

c. Request an administrative discharge board.

d. Waive the above rights.

(Within 15 days after receipt of this letter, you must return an attachment (enclosed) showing your decision of each of the above rights. You or your counsel may submit a written request for an extension of time to reply, if additional time is needed. You must state the reasons for the extension and how much time is needed. The decision whether to grant the additional time is discretionary with the appropriate authority.)

5. Within 24 hours after receipt of this letter, you must execute and return the attached "Acknowledgment of Receipt".

6. Failure to acknowledge receipt of this letter or to respond regarding selection of rights within 15 days will constitute a waiver of all rights. The case will be processed without an administrative discharge board hearing based on the information available. Within 15 days after receipt of this letter you **MUST** return the 1st endorsement (attached) electing one of the following options:

- a. I **(DO) (DO NOT)** request an administrative discharge board hearing:
- b. I **(DO) (DO NOT)** waive my right to an administrative discharge board hearing:
- c. I **(DO) (DO NOT)** waive the above rights.

7. If you request an administrative discharge board hearing, you must return a statement indicating the following:

- a. Whether you want to make a personal appearance.
- b. Whether you want representation by the military legal counsel that has been made available.
- c. Whether you ask to be represented by military counsel of your choice. In that case, you must identify such counsel by name, grade, organization, and phone number.
- d. Whether you will be represented by civilian counsel; in which case you will identify such counsel by name and address.
- e. Names, addresses and telephone numbers (if known) of any witnesses that you want to appear before the board, giving a summary of the expected testimony of the witnesses on the issue of separation or characterization and an explanation why written or recorded testimony of the witnesses could not be presented to the board hearing for a fair determination of the case.