MILITARY LAW TASK FORCE OF THE NATIONAL LAWYERS GUILD

DISCHARGE UPGRADING AND DISCHARGE REVIEW

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INTRODUCTORY MATERIALS & FORMS FOR ATTORNEYS AND COUNSELORS

BASICS OF DISCHARGE UPGRADING

(This was written by Tom Turcotte, an attorney in San Francisco, who is part-time staff attorney for the non-traditional veterans' organization **Swords to Plowshares**. His private practice includes discharge review and Board for Correction of Military Records work.)

Advocates of active-duty military members will deal with people in situations that inevitably result in the receipt of less than fully honorable discharges. There is, and always has been, a great deal of misinformation regarding the process and standards in the military's system for reviewing discharges.

A less than fully Honorable Discharge imposes significant limitations on veterans' VA benefits entitlement and employment opportunities.

This article is intended only to provide a very basic overview of the discharge review system and provide some practice pointers for advocates. Nothing is intended to impart specific advice to any individual's situation nor is anything discussed regarding federal court review of Less-Than-Honorable Discharges or correction of military records.

I. The Discharge Review and Correction Boards

There are two separate Boards for each service branch that reviews discharges -- The Discharge Review Board and the Board for Correction of Military/Naval Records.

The Discharge Review Boards consist of five officers, of the rank 0-4 or higher. These Boards have jurisdiction over discharges issued within fifteen years of the date of application. The Review Boards cannot review a Bad Conduct or Discharge issued as part of the sentence of a General Court-Martial, but they can review all others including Bad Conduct Discharges issued as part of the sentence of a Special-Court Martial.

The Review Boards are empowered only to "upgrade" the type of discharge and change the reason for discharge. They cannot change a re-enlistment code or otherwise modify the contents of a vet's military records.

Applicants can elect either a personal appearance type of hearing before the Review Boards or a non-personal appearance review that is limited to consideration of available medical and administrative records as well as any materials submitted by the vet.

An applicant can first apply for a non-appearance type of hearing and, if that is not successful, then ask for a personal appearance type of hearing. Statistically, personal appearance type hearings stand a much better of success.

I often advise clients to try the non-appearance mode first, then, if that's not successful, ask for a personal appearance. This gives the vet "two bites at the apple." A personal appearance type of hearing must be made within fifteen years from discharge so that deadline has to be considered first and foremost.

The Army and Air Force Review Boards travel regionally to certain locations in the continental states. (Los Angeles and San Francisco are two cities they go to in California.) Often, the Boards will send one officer who is designated as a "Hearing Examiner." This officer will conduct a videotape of the hearing that will be played back to a full panel of the Board in the Washington, D.C., area for final decision. Sadly, and perhaps illegally, the Navy Discharge Review Board does not travel regionally. Navy and Marine vets can only elect a personal appearance type hearing in Washington, D.C.

In the "personal appearance" type of hearing, a Review Board allows an applicant to be represented by lawyer or non-lawyer counsel. An opening by counsel is generally made, as is direct questions of the applicant by counsel, then followed by questions from the Board members and a closing statement by counsel. Witnesses can also testify at hearings.

Application to the Review Boards are made on DD Form 293. The form asks the veteran to list specific issues in support of an upgrade that the Board will consider and resolve. (NOTE: Any search engine will produce the Review and Correction Boards' web sites -- just enter Discharge Review Boards. These sites include regulations, application forms that can be downloaded and FAQ's, etc. for each Board and branch of service. Citation to regs are not made here because they are available on the web.

The Boards for Correction of Military/ Naval Records consist of high ranking civilian employees of each branch. These Boards have almost complete power to change, delete, modify or add to the contents of military records. Application to a BCMR requires completion of DD form149.

The BCMR's can do anything to a vet's records except overturn a court-martial conviction.

They are not required to grant personal appearance hearings though they can but very rarely do. They sit only in Washington D.C.

Unlike the Review Boards, (which operate under a fifteen year limit from the date of discharge that cannot be waived), the Correction Boards operate under a three year limit for application that starts upon the date of "discovery of alleged error or injustice." This date is generally by the Correction Boards to start as of the date of discharge or, in the case of a denied upgrade from a Discharge Review Board, the date of the Review denial decision.

However, the Correction Boards can, and often do waive the three year limit if they determine that it "is in the interest of justice" to do so. They cannot determine whether to waive the three year limit without making a cursory review of the merits of a petition.

Vets often argue that they were never advised of the existence of the Boards, let alone their time limits. This argument cannot hurt but I have never really seen it work either because "ignorance of the law is no excuse" and because since 1975, vets being separated Less-Than-Honorably are required to be given a fact sheet regarding the Review and Correction Boards' powers and application time limits.

It is best to simply argue that the merits of the case warrant waiver of the three-year limit. The application form (DD 149) actually requires explanation as to why the Board should find it in the interests of justice to waive the three year limit if the application is made past three years from the date of discovery of error or injustice.

If medical or legal issues are involved in a Correction Board application, the Air Force will ask for advisories from the SJA or Flight Surgeon. Other branches rarely do this but one can always ask for an advisory provided a request to review and rebut the advisory before a hearing is also made.

Though the Correction Boards cannot overturn a Court-Martial conviction as a mater of law, they can, and sometimes do order that the records be corrected to show that the Convening Authority approved only part of a sentence but not a punitive discharge.

Correction Board decisions are binding on all federal agencies including the Department of Veterans Affairs. This is crucial in General Court-Martial cases because a discharge as part of the sentence of a General Court-

Martial is an absolute statutory bar to VA benefits. If a Correction Board orders a change in the Convening Authority's review and changes the reason for discharge from sentence of a GCM to action by the Correction Board -- the discharge no longer is the result of a General Court-Martial which eliminates the bar to VA benefits. (VA benefits are discussed in a little more detail below.)

II. Some Myths about "Bad Paper"

It is absolutely not true that a Less-Than-Honorable Discharge automatically gets upgraded six months after discharge. This myth has been around since World War II and is still being perpetuated by people marginally involved in the discharge process such as personnel specialists and NCO's. Typically, a vet will explain that: "They told me so long as I kept my nose clean the discharge would go to Honorable in six months."

Advocates should make it clear that this just not true!

My theory after nearly thirty years of doing this work is that the "six month myth" is grounded partly in the fact that military regs used to require that administrative records not be forwarded to the Records Center in St. Louis until six months after separation. I suspect that this is where the six-month aspect of the myth comes from.

I think the real reason this myth is still being perpetuated is that it deceives young people who are already under great stress believing that they need not use any rights they may have in the discharge process because, "after all- it's gonna' get upgraded anyway".

The FAQ part of the Army Review Boards' website actually includes debunking of the "six month myth." That is how common this mean little bit of misinformation is.

Another myth is that regardless of the reason for discharge or what is in one's disciplinary record, a discharge upgrade will obtain long as an excellent post-discharge history can be documented.

Post service history, no mater how laudatory and well documented is simply not a ground for upgrade. I believe that documenting post- service is a good idea because the Board members may use that evidence to sway them to the applicant's advantage. Also, post-service history can be used to demonstrate that the grounds for discharge were not valid in retrospect in, for example, drug or alcohol cases where the vet can demonstrate recovery that was not offered in service.

A final myth is that only an upgrade of discharge can entitle a vet to VA benefits.

The Department of Veterans Affairs can grant basic benefit eligibility to any veteran discharged with a Less-Than-Honorable Discharge except those who received a Bad Conduct or Dishonorable Discharge as part of the sentence of a General Court-Martial. Administratively issued Other-Than-Honorable and Bad Conduct Discharges issued as part of the sentence of a Special Court-Martial can be subjected to a VA "Character of Service" determination.

Any VA Regional Office can conduct a review of "the facts and circumstances" surrounding the issuance of a discharge. A vet need only apply for any benefit to "trigger" this determination which is threshold to entitlement to specific VA benefits. The standards used by the VA to make these determinations can be found at 38 C.F.R. Sec. 3.12 et seq.

VA's regs regarding the considerations applied to a character of service determination are surprisingly straightforward and fair.

Vets with "bad paper" need to know that the discharge does not preclude basic VA entitlement, but that eligibility for specific VA benefits can require other factors such as total time served and "era" of service.

III. Tactics for Advocates

Anyone dealing with someone who may receive "bad paper" from the military is in a position to help document the "facts and circumstances" surrounding the discharge. Documentation can be crucial to both discharge review applications and VA disability claims.

Advocates should always consider their ability to "preserve the evidence."

Service members facing discharge should always get the home of record address and phone number of people in their unit who have inside knowledge of facts relevant to the discharge but which will not be in the official records.

The ideal situation is to get statements from people prior to the actual discharge but this is not always possible. People often fear retaliation for providing a statement or simply are removed from the soon-to-be veteran.

I advise people to get the address of friends who can give statements of their parent's address. This way, a letter can be forwarded later asking for statements.

JAG officers are usually fairly easy to track down either while they are still in the military or have been discharged. Each branch has a JAG locator service.

I have had surprisingly positive results in getting statements from JAGs appointed to represent people facing discharge. Even if they can't remember the details of a given case, they will often be glad to put in writing the prejudices of a command or other important inside information about improprieties in certain types of cases at commands they were assigned to.

In that connection, advocates should know that the Review and Correction Boards have no subpoena or summons powers -- even over active duty personnel. Potential witnesses should be assured that there will be no retaliation for giving a sworn statement because the Boards have no power over them, the proceedings of the Boards are covered by the Privacy Act of 1974 and frankly, the Boards probably just don't care about them. (This is not to say they won't consider any support statement because they will and, in fact, I don't believe they see many support statements in the first place.)

Any and all documents even remotely or possibly connected to the facts leading to discharge should be kept as potential evidence. Medical bills for treatment off-base for conditions that should have been treated by the military should obviously be kept, but this is just one of many examples of preserving evidence for a future discharge review or VA character of service determination.

Not infrequently, by the time the relationship between a service member and the military has soured to the point that another than fully Honorable Discharge is inevitable -- the service member just wants out. The last thing s/he is thinking about is preserving evidence and contacts necessary to development of a good application. An advocate can be invaluable in this respect!

Finally, advocates should understand that the discharge upgrade rates among the Boards vary from service to service but remain very low. The rates always go up in personal appearance type hearings but the overall low rate isn't likely due only to restrictive regulations or reactionary Board members.

I firmly believe that the Boards are not accustomed to seeing well documented, organized and persuasive applications made with reference to their regulations and those applicable to discharges. Most of their caseload involves unrepresented applicants or those represented by traditional veterans' organizations that often employ a very route approach based on good citizenship since discharge which is specifically not a ground for upgrade.

Simply filling the form out and showing you've been good since you got your discharge is not going to get it and people need to know that.

Both as a military counselor and lawyer, I've been involved in more than a few bad discharges. I've also been fortunate enough to have been involved in more than a few discharge upgrades and favorable VA character of service determinations.

That experience has taught me that there is no substitute for documentation in this work and that advocates are uniquely positioned to do "damage control" by explaining how discharge review works, debunking myths, and developing evidence.

DISCHARGE UPGRADING--AN OUTLINE FOR BEGINNERS

This outline was written by MLTF co-chair Kathleen Gilberd.

(1) DISCHARGE UPGRADES IN A NUTSHELL

- Veterans can apply to upgrade less than honorable discharges and to change the reason or basis for discharges. Each service has a Discharge Review Board (DRB) which can upgrade general, other than honorable and special court-martial bad conduct discharges (BCDs), and can also discharges to or from uncharacterized entry level separations (ELSs). DRBs can also change the reason for discharge.
- Each branch also has a Board for Correction of Military (or Naval) Records (BCMR) which can consider "appeals" of bad DRB decisions, upgrade discharges given by general courts-martial, change discharges to or from medical retirement or discharge, change reenlistment codes, reinstate people in the military (this is rarely done) and make many other changes in military records.
- Vets can apply to the DRBs at any time up to 15 years from the date of discharge. They can apply to the BCMRs up to three years from the date of discharge or from the date of a bad DRB decision. BCMRs often accept late applications.
- There are no automatic upgrades, and upgrades aren't easy to get. People who don't want to live with a less than honorable discharge should talk with a counselor or attorney before discharge if at all possible, and should normally demand all of their rights to fight against a bad discharge while they are still in the military. If the bad discharge can't be avoided, it's important to start gathering evidence in support of an upgrade even before the discharge takes place.
- (2) The military is full of rumors about discharges and discharge upgrades. They are almost always wrong:
- Going AWOL or UA is not the only way to get out.
- Getting a bad discharge is not the only way to get out.
- Getting a good (fill-in-the-blank type of) discharge is not impossible, and the gunny hasn't seen 50 of them turned down just at this command!
- Fighting for a good discharge when the command recommends a bad one does not take forever.
- Waiving all the rights in a discharge proceeding does not increase the changes of a good discharge unless it is part of a signed agreement.
- Discharges do not upgrade automatically after six months.
- Discharges do not upgrade automatically.
- Upgrades are not a piece of cake. It is almost never enough just to fill out an application form and send it in.
- Upgrades are not impossible to get.
- There is no need to wait six months, two years, or any minimum amount of time before applying to a DRB or BCMR. The only important dates involve the maximum time--15 years for DRBs, three for BCMRs--within

which to apply.

- Staying out of trouble after discharge is not enough to get an upgrade.

(3) PREVENTING A BAD DISCHARGE IN THE FIRST PLACE

- Usually the best way to avoid a less than honorable discharge is to fight it before it takes place. This is an important issue to discuss with a military counselor.
- Many GIs feel that it's worth a bad discharge to get out, and that it won't affect them much. Of course the decision is theirs. But before they act on those ideas, it's important that they have information about the effects of bad discharges on veterans benefits and employment, that they know about alternative discharges that won't have those effects, and that they know the rumors about automatic and easy upgrades are false.
- Fighting a bad discharge for reasons like misconduct usually means demanding the right to an administrative discharge board hearing, where GIs can argue for a better character of discharge and/or against the command's reason for discharge. With GOS discharges (discharges in lieu of court-martial), and with admin discharges that can be no less than general, there is usually no right to a board. However, soldiers who've been in for over six years, and those accused of homosexual conduct, are entitled to a board no matter what the character of discharge may be. When people aren't entitled to a board or waive a board, they can submit written statements on their own behalf, witness statements and other evidence, and a letter or brief from their counselor or attorney arguing for a better discharge. With a court-martial, fighting the discharge means working closely with military and/or civilian defense counsel and, if there is a conviction, with appellate counsel.
- GIs who decide not to challenge a bad discharge beforehand, or whose challenges aren't successful, should normally start gathering evidence before they get out, to be used in a later upgrade application.

(4) WHAT THE REVIEW BOARDS CAN DO

- DRBs can upgrade general discharges to honorable; upgrade OTH discharges to honorable or general; upgrade BCDs from special courts-martial to honorable, general or OTH; and change discharges to or from ELS. They cannot overturn or pardon or eliminate a court-martial conviction.
- DRBs can change the reason or basis for discharge, as from misconduct to convenience of the government, but can't change discharges to or from medical disability discharge or retirement.
- DRBs can't change reenlistment codes or reinstate people in the service.
- BCMRs can do all the things DRBs can do, and can consider "appeals" from DRB denials or partial denials.
- BCMRs can upgrade discharges awarded by general courts-martial, and can upgrade special-court BCDs if a DRB refuses to do so. BCMRs cannot overturn or pardon or eliminate a special or general court-martial conviction.
- BCMRs can change the reason for discharge to or from medical disability retirement or discharge. In some cases, the BCMR will decide a vet should have been medically retired as of the date of his or her discharge, resulting in a disability pension retroactive to that date.
- BCMRs can reinstate people in the military, though they rarely do this. They can change military records to show that applicants served to the end of their term of service, and can change reenlistment codes to permit vets to reenlist if they meet other reenlistment criteria (age, etc.).
- BCMRs can eliminate the results of disciplinary actions, like fines or reductions in rank, can change or remove bad performance evaluations or "counseling entries," can take incorrect diagnoses out of medical records, and can make many other changes in service records. Because of these broad powers, GI's may wish to apply to the BCMRs to clean up problems in their records which might later lead to a problem discharge, affect promotion, etc.

(5) TIME LIMITS

- There is no minimum time that vets must wait before applying for an upgrade.
- But the DRBs will sometimes recommend that vets wait a few years before applying, to build up a good civilian record. The wisdom of this depends entirely on the facts and issues in an individual case, and on the vets' needs.
- Vets can apply to the DRBs at any time up to 15 years from the date of the discharge. In a court-martial case, the discharge becomes final after post-trial procedures and appeals are over, not at the time of sentencing. DRBs will not accept late applications.
- Vets can apply to the BCMRs at any time within three years from the date of the "error or injustice" in their record, or three years from the date of discharge. Three years after discharge is acceptable even if the error or injustice occurred some time before the discharge. Vets can also apply to the BCMRs within three years of the date they are turned down, or turned down in part, by the DRBs.
- The BCMRs will often accept late applications if the vet can show a good reason for the delay, though the Boards are not required to take late claims. The BCMR rules say that they may waive the time limit when it is "in the interests of justice," which often means the vet had not been informed of his right to apply for an upgrade, had serious medical or psychiatric problems that kept her from applying before, etc. Vets who failed to apply to the DRBs within 15 years of discharge may still find the BCMRs willing to hear their cases.
- If vets are eligible to ask for a second DRB review (see part 6), they must do so within 15 years of the date of discharge. There is no specific time limit for reapplications to the BCMRs.
- GIs and vets should know that discharge review cases tend to take many months. Time varies depending on the complexity of the case, whether or not the case involves a hearing, and the particular board involved.

(6) TYPES OF REVIEW

- DRBs hold documentary reviews and personal appearance (hearing) reviews. Vets can have both if they take them in that order and stay within the 15-year deadline.
- In documentary reviews, DRBs look at vets' personnel and medical records and any arguments and evidence submitted by the vet. The Boards usually don't look at court-martial records of trial, just at the charges and results. Vets can be represented by an attorney or counselor.
- With personal appearances, DRBs look at the same records, evidence and arguments. Vets can testify, bring witnesses, and be represented by an attorney or counselor. (When vets testify under oath, the board members can question them; some vets prefer to make unsworn statements to avoid this. It's a tactical decision best made with the help of a counselor or attorney.)
- The Navy/Marine Corps DRB has hearings only in Washington now; the other services occasionally send DRBs to a few major cities around the country. DRBs don't pay travel expenses for applicants or witnesses.
- Vets can request hearings before the BCMRs, but the Boards seldom grant them. Vets have no right to a hearing except in cases brought under the Military Whistleblower Protection Act.
- BCMR hearings are held only in Washington.
- Veterans can ask the BCMRs to reconsider their cases on the basis of new material evidence. This evidence should have been unavailable at the time of the first application, should relate to a substantive issue in the case, and should not just duplicate evidence submitted in the earlier application.

(7) ARGUMENTS AND EVIDENCE

- The DRBs and BCMRs start with a legal presumption that discharges are fair and legal, and that military officials act properly. Vets have the burden of proving that their discharges should be changed.
- The proceedings are considered 'non-adversarial,' with no attorney representing the military's 'side,' but board members may be critical and sometimes suspicious. The rules of evidence don't apply, though vets and their representatives can object to offensive questions, unnecessary invasions of their privacy, and questions that simply aren't relevant to the case.
- The DRBs and BCMRs do not normally make any independent investigations. There are a few exceptions: the boards will sometimes check to see if an applicant with a BCD has a later civilian conviction, the BCMRs may ask for advisory opinions from OJAG, the service's medical or personnel experts, and on very rare occasions from the vets' old command. More investigation may be proper in Military Whistleblower Protection Act cases.
- The DRBs and BCMRs have no subpoena power and will not order military witnesses to attend. Bringing witnesses is the job of the applicants, so that in many cases they must rely on written statements or letters rather than live testimony. Again, BCMR cases involving the Whistleblower Protection Act give the Board broader authority to bring witnesses.
- With admin discharges, the Boards will consider arguments that discharges were unfair ("inequitable" to the DRBs, "unjust" to the BCMRs) or illegal ("improper" to the DRBs, "erroneous" to the BCMRs). Vets can argue that there were mitigating circumstances surrounding the problems or misconduct that led to a bad discharge (for instance, that undiagnosed medical problems kept them from performing duties properly), an "equity": or "justice" issue. They can also argue that the command or the service failed to follow its discharge regs, federal law, or constitutional requirements in discharge proceedings, a "propriety" or "error" issue.
- In these admin cases, good conduct after discharge is not a separate reason for an upgrade. It should be considered as it reflects on the vets' character or actions before discharge. However, the Boards are often quite impressed by good conduct, charitable activities, an impressive career, etc., after discharge.
- On the other hand, bad conduct after discharge can bias the Boards against an applicant. For example, applications mailed from prison may be received with some skepticism--people in military or civilian prisons should generally be encouraged to apply after they are released unless they face a Board deadline. Statements or evidence of bad behavior after discharge may reduce the Boards' sympathy for applicants, unless they are presented as part and parcel of the problems leading to discharge--problems overcome through rehab or good efforts and followed by outstanding conduct and character.
- With punitive discharges (BCDs and DDs, or dismissals for officers) the Boards will upgrade only on the basis of clemency. The means showing rehabilitation and excellent conduct after the offense(s) and especially after discharge. In addition, it can help to show extenuating or mitigating circumstances relating to the offense(s).
- !! It is virtually always helpful to begin gathering documentation and evidence for discharge upgrades during the discharge process and right after discharge, even if vets don't plan to request an upgrade soon. Since evidence, records and witnesses can get lost, this task shouldn't be put off. It can include:
- Getting a complete copy of military personnel records, outpatient medical records, and any in-patient hospital records.
- Getting a complete copy of the "discharge packet" sent to the separation authority.
- Getting a complete copy of all files kept by their civilian and/or military attorneys.
- Getting copies of complete NCIS, OSI, CID or DIS records if an investigation was made.
- Getting all of the documentation on any positive urinalysis test (the order authorizing the test, the chain of custody document, message traffic between command and lab, and actual test results). GIs or vets can also request retesting of the original "sample" at a civilian lab. Samples and documents are not kept permanently, so

requests should be made quickly.

- Asking for letters from fellow soldiers who are aware of good character, mitigating circumstances surrounding misconduct, innocence of alleged misconduct, command bias, etc.
- Getting permanent addresses for fellow soldiers who may not be willing to provide statements now, but could be asked again after they're out.
- Getting letters or permanent addresses from civilian friends, neighbors, etc., with similar knowledge.
- Obtaining at least one civilian medical or psychiatric evaluation if medical or psychiatric issues exist but were not well documented in military records.

(8) REPRESENTATION

- It is almost always helpful to have representation in discharge upgrade cases. An attorney or counselor can help to evaluate the case, develop equity and propriety arguments, assist in gathering and evaluating evidence, write a legal brief discussing the case and issues, and represent vets during hearings.
- If this level of representation isn't possible, it is helpful for vets to read over the regs governing the Boards and literature from civilian sources. It is also very helpful to have an attorney or counselor look over the regs, records and evidence, and help vets develop arguments.
- Vets should bear in mind that anything they say or submit to the Board can be considered, and will become a part of their permanent military record, so that it would be available to the Boards in any future application. A poorly prepared application can sometimes work against vets in further "appeals" or new applications.

(9) Resources

- The Discharge Upgrading Manual and its 1990 supplement are available from the National Veterans Legal Services Program, 2001 S Street, NW, Suite 610, Washington, DC 20009, 202-656-8305, ext. 105; their web site is http://www.NVLSP.ORG.
- The Self-Help Guide for Discharge Upgrading, produced by the Veterans Education Project and the National Veterans Legal Services Program, is now available from the Military Law Task Force.

(10) Forms

- Information about ordering military records, and the form used to order most records, Standard Form 180, are available from the National Personnel Records Center, at http://www.archives.gov.st-louis/military-personnel/standard-form-180.html.
- The application form for the Discharge Review Boards, DD form 293, can be found at http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0293.pdf.
- The application form for the Boards for Correction of Military/Naval Records, DD form 149, can be found at http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0149.pdf.
- These forms and the DVA form used to order records from VA facilities, VA Form 2188, can also be obtained from VA regional offices, or from the MLTF.

ABOUT THE MILITARY LAW TASK FORCE

The NLG Military Law Task Force includes attorneys, legal workers, law students and "Barracks lawyers" interested in draft, military and veterans issues. The Task Force publishes *ON WATCH*, produces interim mailings on legal and political issues for Task Force members, sponsors seminars and workshops on draft, military and veterans law, produces educational materials on these issues, and provides support for members on particular cases or projects. It sponsors legal and educational work on military dissent, the rights of servicemembers, and challenges to oppressive military policies.

The Task Force encourages comments, criticisms, assistance and membership from Guild members and others interested in military law to write the Task Force or call us at 619-233-1701 or 415-566-3732.