



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST ARMORED DIVISION AND FORT BLISS
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FORT BLISS, TEXAS 79918

AFBL-CG

AUG 21 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Letter #7, Senior Leader Misconduct/Relief Notification Requirements and Withholding of Uniform Code of Military Justice (UCMJ) / Adverse Administrative Action Authority

1. Purpose. This policy establishes senior leader misconduct notification requirements and outlines General Court-Martial Convening Authority withholdings. This memorandum supersedes all other Fort Bliss regulations, circulars, and policy memoranda to the extent that they conflict with this policy.
2. Applicability. This policy applies to all Active Army, Army National Guard (ARNG), and U.S. Army Reserve (USAR) Soldiers on active duty, inactive duty training, or in a duty status under Title 10, U.S. Code, who are assigned to, attached to, or performing duties at Fort Bliss.
3. Notification Requirements.
 - a. Special Court-Martial Convening Authorities (SPCMCAs) will report any allegation of misconduct committed by a commissioned officer, warrant officer, or Soldier in the grade of E8 or E9 to me as soon as practicable, but no later than 24 hours of learning of the allegation.
 - b. SPCMCAs must notify me before temporarily suspending, and/or permanently relieving from duties, any commissioned officer, warrant officer, or Soldier in the grade of E8 or E9.
 - c. Commanders will notify me of (a) and/or (b) above via e-mail, copying the Deputy Commanding Generals, Chief of Staff, and Staff Judge Advocate.
4. Withholdings.
 - a. *Senior Leader Misconduct*. I withhold authority to dispose of all allegations of misconduct committed by commissioned officers, warrant officers, or Soldiers in the grade of E8 or E9.¹ Subordinate commanders may not take adverse administrative

¹ The Commanding Generals of the 32d Army Air and Missile Defense Command and Brigade Modernization Command are delegated authority to dispose of misconduct committed by commissioned officers, warrant officers, and Soldiers in the grade of E8 or E9 assigned to a unit within their Special

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action, impose nonjudicial punishment, or convene Courts-Martial unless I have explicitly delegated authority to dispose of the action at their level. This withholding does not, however, prevent Commanders from conducting developmental or minor transgression counseling, issuing referred evaluation reports, or suspending/relieving from duties in accordance with regulation (subject to the notice requirement in paragraphs 3b & c above).

b. *Incidents Involving Firearms.* I withhold authority to dispose of all allegations of misconduct by any Soldier, of any grade, involving the use of a firearm, including the failure to properly register a firearm.

c. *Withholdings held to SPCMCAs.* Subject to paragraphs 4a & b above, only SPCMCAs may dispose of allegations of misconduct committed by a Soldier in the grade of E-7 and all allegations of a second or subsequent incident of domestic violence. This authority cannot be further delegated.

d. *Withholdings held to Summary Court-Martial Convening Authorities (SCMCA).* Subject to paragraphs 4a – c above, only SCMCA's may dispose of allegations of drug and alcohol related misconduct and first-time domestic abuse incidents. This authority cannot be further delegated.

5. Miscellaneous Provisions. Actions taken in violation of this policy are invalid at my option. The authority to dispose of allegations includes the authority to take no action. This policy is effective immediately and will remain in effect until superseded or rescinded.

6. Point of contact is the Staff Judge Advocate at 744-6889.


ROBERT P. WHITE
Major General, USA
Commanding

Court- Martial Convening Authority. This delegation does not extend to allegations of misconduct involving the use of firearms.