

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01250  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His under other than honorable conditions (UOTHC) discharge be upgraded to general (under honorable conditions).

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APPLICANT CONTENDS THAT:

As a Native American with a genetic predisposition to alcoholism, his being stationed at Clark Air Force Base, Philippines, guaranteed that he would suffer from alcoholism and be discharged due to alcohol abuse. While he is not arguing the fact that his conduct was inappropriate, or that he should not have been discharged, he believes that had he not been stationed in the Philippines, he would not have developed an alcohol abuse problem. Had other steps been taken when his initial treatment for his severe drinking problem proved unsuccessful, he believes the outcome would have been much different.

In support of his appeal, the applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty*; an Incident/Complaint Report; an Airman Performance Report; a Request for Discharge; a discharge legal review; and a Record of Inpatient Treatment.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant is a former member of the Regular Air Force who entered active duty on 14 November 1980. He was progressively promoted to the grade of senior airman (E-4) and served as an Aircraft Maintenance Specialist.

On 1 October 1981, the applicant received two Letters of Reprimand (LORs) for failure to go on 16 August 1981 and 1 October 1981. It was noted there was some indication that the applicant had an alcohol abuse problem which contributed to the commission of some of the offenses. He was referred to Social Actions for rehabilitative treatment for his severe drinking problem without success.

Charges were preferred against the applicant on 12 January 1982 and forwarded with a recommendation for trial by special court-martial. The charges alleged two violations of Article 86, Uniform Code of Military Justice (UCMJ), for two short absences without authority, and one violation of Article 92, UCMJ, for having a guest of the opposite sex in his military unaccompanied quarters between the hours of 2400 and 0700. He was also charged with one specification of robbery of \$50 or less from a Taxi Driver by force and violence, in violation of Article 128, UCMJ.

On 13 January 1982 the applicant requested discharge for the good of the service. On 22 January 1982, the Staff Judge Advocate found the case to be legally sufficient. As a result, the discharge authority approved the applicant be discharged under the provisions of Air Force Manual 39-12, Chapter 2, Section F, paragraph 2-78, with an UOTHC discharge.

The applicant was discharged from active duty in the grade of airman first class (E-3) effective 28 January 1982 with an UOTHC discharge. His narrative reason for separation was "Request for discharge for the good of the service." He served one year, two months, and six days on active duty.

Pursuant to the Board's request, the FBI indicated that on the basis of the data furnished, they were unable to locate an arrest record pertaining to the applicant.

On 20 November 2012, the applicant was given an opportunity to submit comments about his post service activities (Exhibit C). As of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we find no evidence of an error or injustice that occurred in the discharge processing. Based on the available evidence of record, it appears the discharge was consistent with the substantive requirements of the discharge regulation and within the commander's discretionary authority. The applicant has provided no evidence which would lead us to believe the characterization of the service was contrary to the provisions of the governing regulation, unduly harsh, or

disproportionate to the offenses committed. In the interest of justice, we considered upgrading the discharge based on clemency; however, we do not find the evidence presented is sufficient to compel us to recommend granting the relief sought on that basis. Therefore, in the absence of evidence to the contrary, we find no basis upon which to recommend granting the relief sought

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered AFBCMR Docket Number BC-2012-01250 in Executive Session on 23 January 2013, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01250 was considered:

- Exhibit A. DD Form 149, dated 2 Mar 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFBCMR, dated 20 Nov 12, w/atch.

Panel Chair