

TYPE HON		PERSONAL APPEARANCE		X RECORD REVIEW				
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	NO							
	X							
MEMBERS SITTING [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]				VOTE OF THE BOARD				
				HON	GEN	UOTHC	OTHER	DENY
								X
								X
								X
								X
ISSUES A94.53, A92.35		INDEX NUMBER A49.00		EXHIBITS SUBMITTED TO THE BOARD				
HEARING DATE 02-08-23		CASE NUMBER FD2002-0136		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				
TAPES 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 [REDACTED]				SIGNATURE OF BOARD PRESIDENT [REDACTED]				
INDORSEMENT				DATE: 02-08-23				
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 RD FLOOR ANDREWS AFB, MD 20762-7002						

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD2002-0136

GENERAL: The applicant appeals to change the reason and authority for the discharge and to change his reenlistment code.

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

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

FINDINGS: Change of reason and authority for the discharge, and the reenlistment code, are denied.

The Board finds that neither the evidence of record or that provided by the applicant substantiates an inequity or impropriety that would justify a change of the discharge.

Issue. Applicant received an honorable discharge based on unsatisfactory performance after twice failing his technical training school class in Electronic Principles and having been washed back in technical training once. The Board noted that applicant failed his tests with scores of 60 and 40 and was counseled on what was expected of him during training. Furthermore, his academic training records indicate he was recommended to attend anger management class and attended Alcohol and Drug Abuse Program Training (ADAPT). He was described as a not motivated to stay in the Air Force and not compatible with military life. He was furthermore not recommended for retention or retraining. Applicant notes now that he also had a Letter of Reprimand and Unfavorable Information File for an underage-drinking incident. The Board noted these were not used as a basis for the discharge action, nor were they referred to anywhere in the discharge file. Applicant infers his difficulties were of an isolated nature. Nevertheless, the Board did not find sufficient mitigation to warrant a change in his discharge. The Board notes that AFI 36-3208, Administrative Separation of Airmen, provides for an honorable discharge for unsatisfactory performance based on failure to progress in on-the-job training; member met this criteria. In the course of the records review, the Board could find no inequity or impropriety in the processing of applicant's discharge.

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 to change the reason for the 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

[REDACTED]

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr USAF 01/09/28 UP AFI 36-3208, para 5.26 (Unsatisfactory Performance). Appeals for a Change in Reason for Discharge and to Change the RE Code. Disch.

2. **BACKGROUND:**

a. DOB: 83/10/31. Enlmt Age: 17 1/12. Disch Age: 17 10/12. Educ:HS DIPL. AFQT: N/A. A-63, E-50, G-48, M-38. PAFSC: 2M013 - Mission Space Facilities Helper. DAS: 01/04/02.

b. Prior Sv: (1) AFRes 00/12/27 - 01/02/12 (01 month 12 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 01/02/13 for 4 yrs. Svd: 00 Yrs 07 Mo 16 Das, all AMS.

b. Grade Status: A1C - 01/03/30

c. Time Lost: none.

d. Art 15's: none.

e. Additional: AETC 173, 13 AUG 01 - Failure of CDC block 7.
AETC 173, 17 AUG 01 - Failure of CDC block 7.

f. CM: none.

g. Record of SV: none.

(Discharged from Lackland AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (09) Mos (02) Das
TAMS: (00) Yrs (07) Mos (16) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 01/11/08.
(Change Discharge to Reason & Authority for Discharge & RE Code)

Issue 1: Hello, my name is ----- . I am wanting to change the reentry code and Narrative Reason for separation to Satisfactory Performance. I was caught drinking underage and got in trouble and severely sick and I was hospitalized. I know I made a mistake and I got a U.I.F. and L.O.R. I regret that drink and I wish I never did it. If I could go back to that day I would

change it and straighten up my living area. I also realize that I hung out with the wrong crowd but I blame no one but myself for my actions, and I also regret meeting them people. I was a chapel rope and I should of known better. I would like for you to know that I have changed since then and nothing like that will happen again.

ATCH

1. Letter to Discharge Review Board.
2. DD Form 214.

02/07/10/ia



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

PD 2002-0136

20 SEP 2001

MEMORANDUM FOR 37 TRG/CC

FROM: 37 TRW/JAM

SUBJECT: Legal Review of Administrative Discharge Under AFPD 36-32 and AFI 36-3208,
Para 5.26 [REDACTED]

1. Subject case file has been reviewed and found to be legally sufficient to support separation, subject to inclusion in the file of a report of medical examination showing respondent to be physically qualified for worldwide duty.

RECOMMENDATION

2. I recommend that respondent be separated from the service with an **Honorable Discharge**.

[REDACTED]
[REDACTED] Capt, USAF
Assistant Staff Judge Advocate

Attachment:
Case File

Attorney Work Product

This is privileged document. It will not be released in whole nor in part
without the approval of the Staff Judge Advocate



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

PD 2002-0136

19 Sep 01

MEMORANDUM FOR A1C [REDACTED] 344 TRS

FROM: 344 TRS/DOM

SUBJECT: Notification Memorandum


1. I am recommending your discharge from the United States Air Force for **Unsatisfactory Performance**. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.26. If my recommendation is approved, your discharge will be described as an **Honorable Discharge** and you will be ineligible for reenlistment in the Air Force.
2. My reasons for this action are:
 - a. On or about 13 Aug 01, you failed block 7 of the Electronic Principles Course with a score of 40% which is below Air Force standards. This counseling was recorded on AETC Form 173 dated 13 Aug 01.
 - b. On or about 17 Aug 01, you failed block 7 of the Electronic Principles Course with a score of 60% which is below Air Force standards. This counseling was recorded on AETC Form 173 dated 17 Aug 01.
3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force and any special pay, bonus, or education assistance funds may be subject to recoupment.
4. You have the right to consult counsel. Military legal counsel can be obtained to assist you. I have made an appointment for you to consult the Area Defense Counsel (ADC) at Bldg 1000 on n/a at n/a. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by (allow 3 workdays) 24 Sep 01 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

FD 2002-0136

7. 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, Bldg 156.

8. You have been scheduled for a medical examination. You must report to Bldg 6612, Room 502, Monday - Friday between the hours of 1300 - 1500 with your medical, immunization, and dental records for the examination.

9. Execute the attached acknowledgment and return it to me immediately.


Capt, USAF
Commander, Military Training Flight

Attachment(s):

1. AETC Form 173 dated 31 Aug 01
2. AETC Form 173 dated 17 Aug 01