

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)	GRADE	AFSN/SSAN
[REDACTED]	AB	[REDACTED]

TYPE	PERSONAL APPEARANCE	X RECORD REVIEW
------	---------------------	-----------------

COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES		
NO		
	X	

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

ISSUES A94.05	INDEX NUMBER A49.00	EXHIBITS SUBMITTED TO THE BOARD		
		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 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	SIGNATURE OF BOARD PRESIDENT
[REDACTED]	[REDACTED]

INDORSEMENT	DATE: 7 JAN 03
-------------	----------------

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, EF WING, 3 RD FLOOR ANDREWS AFB, MD 20762-7002
---	--

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

GENERAL: The applicant appeals for a Change in Reason and Authority for Discharge, and to change the RE Code.

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

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

FINDINGS: Change in Reason and Authority for Discharge along with a change in the RE Code is denied.

The board finds that neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

ISSUE: Applicant contends that his discharge was too harsh in that he heard a rumor that if you fail out of school, you get "reclassified" to another job. He also states that he was "young and dumb" and made the worst mistake of his life. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base a change in reason and authority for discharge, or to change the RE Code. The records indicate the applicant was discharged, Honorably, for having a repeated history of unsatisfactory academic and military performance. The record also indicates that the member was afforded every opportunity to progress and that his commander at that time stated the he does not believe the applicant possessed the desire and motivation needed to succeed. Airmen are subject to discharge for unsatisfactory performance based on documented failure to meet Air Force standards. Also, the DRB recognized the applicant was 20 years of age when the discharge took place. However, there is no evidence he was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. The Board concluded that the characterization, reason and authority of the applicant's discharge were appropriate due to the unsatisfactory academic and military performance.

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 for change in reason and authority for 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]
[REDACTED]
(Former AB) (HGH AB)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr USAF 02/04/17 UP AFI 36-3208, para 5.26 (Unsatisfactory Performance). Appeals for Change in Reason and Authority for Discharge and RE Code.

2. **BACKGROUND:**

a. DOB: 82/04/17. Enlmt Age: 29 0/12. Disch Age: 20 0/12. Educ: HS DIPL. AFQT: N/A. A-44, E-20, G-39, M-23. PAFSC: 3E711 - Student. DAS: 01/11/05.

b. Prior Sv: (1) AFRes 01/04/27 - 01/09/17 (4 months 21 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 01/09/18 for 4 yrs. Svd: 00 Yrs 07 Mo 00 Das, all AMS.

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: None.

e. Additional: AETC 125A, 22 MAR 02 - Repeated history of unsatisfactory academic and military performance.

f. CM: None.

g. Record of SV: None.

(Discharged from Goodfellow AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (11) Mos (22) Das
TAMS: (00) Yrs (07) Mos (00) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 02/07/22.
(Change Discharge to Reason and Authority for Discharge and RE Code)

Issue 1: Hello, my name is ----- . I would like to request a moment of your time. So please hear my story. I was stationed at Goodfellow AFB, TX from 11/2/01-5/17/02. I was there for Fire Protection Apprentice School. I heard a rumor on base that if you fail out of school, you get reclassified to another job. I was in my middle block of school before I got washed back the first time.

Then, after that, I didn't try anymore.

I was trying to get reclassified, listening to other tech school students. I made the worst mistake of my life. I was young and dumb. I washed out and I got discharged. I know a mistake and that was wrong, in fact I apologize for waisting (sic) your time and money.

I still want to be in the Air Force or Military, however. I was wondering if you could help me because I love the Air Force and love serving my country. If you believe what I say and in me than can you change my R.E. code to a 1 and change my reason for separation other than an unsatisfactory performance, please.

I believe in serving my country. Please help me to achieve what I believe.

ATCH

1. DD Form 214 (Member 1 & 4).

02/11/06/ia

d. Probation & Rehabilitation: Probation and rehabilitation (P&R) is reserved for those cases where an airman could change his ways through counseling and rehabilitation. In this case, the commander states the Respondent does not possess the desire or motivation needed to succeed in the Air Force. P&R at this point is unlikely to be successful and would not be appropriate in this case.

e. Legal Sufficiency: This discharge package is legally sufficient.

4. 17 TRW/CC OPTIONS: As the SPCM you may:

- a. Retain Respondent in the Air Force;
- b. Discharge Respondent with an honorable discharge, with or without P&R;
- c. Discharge Respondent with a general discharge, with or without P&R.

5. RECOMMENDATION: I recommend you discharge Respondent with an honorable discharge IAW AFI 36-3208, paragraph 5.26, without P&R.




Options

I concur



Attachment:

 Discharge Package



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

PD2002-0314

MAR 29 2002

MEMORANDUM FOR [REDACTED]

FROM: 312 TRS

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 honorable or general. I am recommending that your service be characterized as honorable.

1. My reason for this action is:

On or about 22 Mar 02, you were disenrolled from course number X3ABR3E731-006 (Fire Protection Apprentice) due to a repeated history of unsatisfactory academic and military performance. You repeatedly informed instructors that you did not want to be here because you realized that Fire Protection was a physically demanding job and that you wanted another job. You are not recommended for reclassification. This is documented on an AETC Form 125A and the Student Training Report, dated 22 Mar 02

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 has been obtained to assist you. I have made an appointment for you to consult with the Goodfellow AFB, Area Defense Counsel on 1 Apr 02 at 1000 hours in Bldg 308. 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 4 Apr 02 at 0930 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.

7. You must report to the Physical Exams Section of the clinic during walk-in hours, Monday through Thursday from 0730-1530 hours, for your medical examination.

8. 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 Unit Orderly Room.



Attachments:

1. AETC Form 125A and Student Training Report, dated 22 Mar 02 (4 pages)