

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2003-00524

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

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

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

FINDINGS: The Board grants the requested relief.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's reason and authority for discharge inequitable.

Issue. Applicant was discharged for unsatisfactory performance, failure to progress in on-the-job training, after twice failing his Career Development Course (CDC) End of Course examination. Applicant now contends his failures were an anomaly and that if given another chance, he could pass the exam. Applicant notes he did well in his Security Forces technical training course, and desires to re-enter the military in the same career field. The records indicated applicant had high Air Force Qualifying Test (AFQT) scores, and entered the Air Force on a 6-year enlistment with a career job reservation for Security Forces. After each of his CDC failures, his training records noted applicant was a motivated service member who had truly studied for the tests. Applicant's commander considered requesting a waiver of the CDC test failures to afford member another opportunity to succeed, but subsequently determined retention was not in the Air Force's best interest. The record review disclosed no derogatory information in member's records, and the Board could not ascertain what applicant's commander based his decision upon. After a thorough and complete consideration of the information in the records and submitted by applicant, the Board concluded there was sufficient mitigation to substantiate changing the reason and authority for the discharge, and to change applicant's reenlistment code. The Board opined that applicant could become a valuable member of the military.

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. However, in view of the foregoing findings, the Board further concludes that the reason and authority for the discharge is more accurately described as Secretarial Authority. The applicant's reason and authority for discharge should be changed to Secretarial Authority under the provisions of Title 10, USC 1553.

Attachment:
Examiner's Brief

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

MISSING MEDICAL RECORDS

[REDACTED]
[REDACTED]
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr USAF 19 Dec 00 UP AFI 36-3208, para 5.26.3 (Unsatisfactory Performance - Failure to Progress in On-the-Job Training). Appeals for Change to Reason for Discharge and Reentry Code.

2. **BACKGROUND:**

a. DOB: 3 Apr 79. Enlmt Age: 19 5/12. Disch Age: 21 8/12. Educ: HS DIPL. AFQT: N/A. A-72, E-85, G-72, M-96. PAFSC: 3P031 - Security Forces Apprentice. DAS: 26 Jun 99.

b. Prior Sv: (1) AFRes 25 Sep 98 - 26 Jan 99 (4 Months 2 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 27 Jan 99 for 6 yrs. Svd: 1 Yr 10 Mos 23 Das, all AMS.

b. Grade Status: A1C - 12 Mar 99

c. Time Lost: None.

d. Art 15's: None.

e. Additional: None.

f. CM: None.

g. Record of SV: 27 Jan 99 - 26 Sep 00 Aviano AB 4 (Initial)

(Discharged from McClellan AFB)

h. Awards & Decs: AFTR, NATO MEDAL, SAEMR W/1 BS.

i. Stmt of Sv: TMS: (2) Yrs (2) Mos (25) Das
TAMS: (1) Yrs (10) Mos (23) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 8 Nov 03.
(Change Reason for Discharge and Reentry Code.)

Issue 1: I would like to have the separation and reentry codes changed on my DD Form 214 so I can reenlist into the Nevada Air National Guard Security Forces squadron. I was separated because of CDC failures, I believe that the failures were an anomaly and if given a chance to take the Security Forces CDC again I can succeed in passing them. I have attached to this application a copy

of my student training report from Security Forces Technical School that shows that I did well in my training. If given the chance I would like to serve my country again.

ATCH

1. Enlisted Performance Report.
2. Training Report.
3. DD Form 214.

15 Dec 03/cr



DEPARTMENT OF THE AIR FORCE
31ST FIGHTER WING (USAFE)

MEMORANDUM FOR AIC [REDACTED] 31 SFS

FROM: 31 SFS/CC

SUBJECT: Notification Memorandum


1. I am recommending your discharge from the United States Air Force for failure to progress in on-the-job training. The authority for this action is AFPD 36-32 and AFI 36-3208, para. 5.26.3. If my recommendation is approved, your service will be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as honorable.
2. My reasons for this action are as follows:
 - a. On or about 22 Jun 00, you failed to earn a passing score on your end-of-course Career Development Course (CDC) examination. Instead, you scored 61 percent, 4 points below the minimum passing score of 65 percent. For this failure, you were verbally counseled as to the importance of satisfactory completion of the CDCs; and
 - b. On or about 15 Aug 00, you again failed to earn a passing score on your end-of-course CDC examination. Instead, you scored 53 percent, 12 points below the minimum passing score of 65 percent, and 8 points below your first score. For this failure, I am initiating administrative discharge action against you.
3. I have attached copies of the documents that will be forwarded to the separation authority. 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, the characterization of your service. If you are discharged, you will be ineligible for reenlistment in the Air Force and probably will be denied enlistment in any component of the armed forces. In addition, any special pay, bonus, or education assistance funds may be subject to recoupment.
4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [REDACTED], Area 2, at Building 224, on 28 NOV 2000, at 1430 hours. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements that you want the separation authority to consider must reach me by 1400 hours on 1 Dec 2000, 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.

"Return With Honor"

7. You have been scheduled for two medical examinations. You must report to 31MDG/SGOAF (Physical Exams) on 8 Dec 00, 2000, at 1430 hours. Your second appointment is on 14 Dec, 2000, at 0900 hours. You will need to report **15 minutes prior** to your appointments and pick up your medical records.

8. Any personal information that 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 as well as in the Area Defense Counsel's office.

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


SAF
der
date: 28 NOV 00

Attachments:

1. CDC Exam Results
2. a. Commander's Evaluation
Concerning 1st Failure, 22 Jun 00
- b. Commander's Evaluation
Concerning 2nd Failure, 15 Aug 00
3. Member's Acknowledgment of
Receipt of Notification Memorandum
4. EPR
5. Member's Response