

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN							
		AMN								
TYPE HON		PERSONAL APPEARANCE	X	RECORD REVIEW						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">COUNSEL</td> </tr> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">No</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table>		COUNSEL		YES	No		X	NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL
COUNSEL										
YES	No									
	X									
MEMBER SITTING			VOTE OF THE BOARD							
			HON	GEN						
			UOTHC	OTHER						
				DENY						
				X						
				X						
				X						
				X						
				X						
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A49.00</b>	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 DATE <b>06 Dec 2005</b>		CASE NUMBER <b>FD-2005-00135</b>								
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE										
<p>Case heard at Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>										
SIGNATURE OF RECORDER  <i>[Signature]</i>		SIGNATURE OF BOARD PRESIDENT  <i>[Signature]</i>								
INDORSEMENT		DATE: 12/6/2005								
TO: SAF/MRBR 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, 3RD FLOOR ANDREWS AFB, MD 20762-7002								

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00135**

**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:** Change of reason and authority for discharge and change of reenlistment code is denied.

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

**ISSUE:** The applicant contends that the reason and authority for discharge and the reenlistment code were too harsh. The records indicated that the applicant received an Article 15 and a Letter of Counseling for misconduct. He also received eight AETC Forms 173 and one Memorandum for Record for unsatisfactory performance. The misconduct was for underage drinking and missing a mandatory formation. The unsatisfactory performance included failure of Appraisal 5, failure of Appraisal 3-1, failure of Block Test V performance test, second failure of Block VI test, third failure of Block VI test, failure of Block Test, failure of Performance Test, and elimination from DOD BMET Course for Academic Deficiency. The Board concluded that the applicant had ample opportunities to pass the required tests and did not meet the required Air Force standards. The reason and authority for the discharge and the reenlistment code received by the applicant was found to be appropriate.

**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 upgrade of 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 AMN) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr Sheppard AFB, TX on 24 Mar 05 UP AFI 36-3208, para 5.26.1 (Unsatisfactory Performance). Appeals for a Change in RE Code and Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 23 Jan 85. Enlmt Age: 18 4/12. Disch Age: 20 2/12. Educ: HS DIPL. AFQT: N/A. A-74, E-75, G-74, M-78. PAFSC: 4A211 - Biomedical Equipment Helper. DAS: 29 Mar 04.

b. Prior Sv: (1) AFRes 27 May 03 - 27 Jan 04 (8 months 1 day) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as A1C 28 Jan 04 for 4 yrs. Svd: 1 Yrs 1 Mo 25 Das, all AMS.

b. Grade Status: Amn - 13 Jan 05 (Article 15, 13 Jan 05)

c. Time Lost: None.

d. Art 15's: (1) 13 Jan 05, Sheppard AFB, TX - Article 92. You, who knew or should have known of your duties, on divers occasions, between on or about 25 Nov 04 and on or about 26 Nov 04, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcholic beverages while the legal drinking age of 21, as it was your duty to do. Reduction to Amn, forfeiture of \$300.00 pay per month for 2 months, 30 days restriction to base, and a reprimand. (No appeal) (No mitigation)

e. Additional: MFR, 27 JAN 05 - Elimination from DOD BMET Course for Academic Deficiency.

AETC, 173, 27 JAN 05 - Failure of Performance Test.

AETC, 173, 26 JAN 05 - Failure of Block Test.

AETC, 173, 13 OCT 04 - Third failure of Block VI Test.

AETC, 173, 12 OCT 04 - Second failure of Block VI Test.

AETC, 173, 23 AUG 04 - Failure of Block V Performance Test.

AETC, 173, 28 JUN 04 - Failure of Block Test 3-2.

AETC, 173, 16 JUN 04 - Failure of Appraisal 3-1.

AETC, 173, 01 JUN 04 - Failure of Appraisal 5.

LOC, 01 NOV 04 - Missed mandatory formation.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (1) Yrs (9) Mos (26) Das  
TAMS: (1) Yrs (1) Mos (25) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 29 Mar 05  
(Change the RE Code and Reason and Authority for Discharge)

Issue 1: I believe "unsatisfactory performance" sounds awful harsh. I did my best and made it over nine months in a 42 week tech. school (BMET) The washout rate is very high and the job was out of my skill level. My performance was anything but unsatisfactory. I did fail, but I gave it my best.

**ATCH**

1. DD Form 149.
2. DD Form 214.

7JUN05/ia



DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND

28 FEB 2005

MEMORANDUM FOR AMN [REDACTED], 382 TRS

FROM: 382 TRS/CCQ

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for unsatisfactory duty performance. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.26.1. 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 reason for the action are:

a. You failed to make satisfactory progress in a required training program. Specifically, you failed the Block III and Block IX written tests with scores of 50% and 62%, respectively. Minimum passing score is 70%. In addition, you failed one Block III appraisal, five Block V appraisals, three Block VI appraisals, and three Block IX appraisals with scores of 57%, 15%, 15%, 30%, 15%, 30%, 60%, 60%, 50%, 30%, 15%, and 30%, respectively. Minimum passing score is 70%. You also failed performance tests in Block V and in Block IX with scores of 32% and 44%, respectively. Minimum passing score is 70%. As a result of these failures, you were disenrolled from your technical training course on 7 Feb 05. Prior to disenrollment, you received 46 hours of Special Individualized Assistance (SIA), were washed back once and attended Study Skills, Test Anxiety, Stress Management and Time Management classes at the Wing Learning Development Center (WLDC). Efforts to improve your academic performance were met with negative results.

b. You, who knew or should have known of your duties at or near Sheppard AFB, TX on divers occasions, between on or about 25 Nov 04 and on or about 26 Nov 04, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under the legal drinking age of 21, as it was your duty to do. For this misconduct, you received an Article 15 on 13 Jan 05.

c. You did at or near Sheppard AFB, TX on or about 28 Oct 04 without authority, fail to go at the time prescribed, to your appointed place of duty for a mandatory Charge of Quarters (CQ)

briefing. For this unsatisfactory duty performance, you received a Letter of Counseling on 1 Nov 04.

Copies of the documents to be forwarded to the separation authority in support of the recommendation are attached. The commander exercising SPCM jurisdiction or 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 to reenlist in the Air Force and will probably be denied enlistment in any component of the Armed forces.

3. 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 [REDACTED] at Bldg 1638, Rm 111, on 28 Feb 05, at 1000 hours. You may consult civilian counsel at your own expense.

4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 3 Mar 05 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

5. 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.

6. You reported to the hospital physical exam section on 14 Feb 05, at 1324, for a medical examination. You are to pickup your medical records prior to reporting.

7. Any personal information you furnish in your rebuttal is covered by the Privacy Act Statement of 1974. A copy of AFI 36-3208 is available for your use in the Commander's Support Staff.

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

[REDACTED]  
Squadron Section Commander

Attachments:

1. AETC Form 125A, 7 Feb 05
2. Student Training Report, 04015
3. Recommendation for Eliminations, 27 Jan 05
4. AETC Form 173, 27 Jan 05
5. AETC Form 173, 26 Jan 05
6. AETC Form 173, 13 Dec 04
7. AETC Form 173, 10 Dec 04
8. AETC Form 173, 23 Aug 04
9. AETC Form 173, 28 Jun 04

FD2005-00135

10. AETC Form 173 , 16 Jun 04
11. AETC Form 173, 1 Jun 04
12. AF Form 3070, 13 Jan 05
13. Response to Article 15 Action, 7 Jan 05
14. AF Form 1168, [REDACTED], 9 Dec 04
15. AF Form 1168, [REDACTED], 30 Nov 04
16. AF Form 1168, [REDACTED], 29 Nov 04
17. AF Form 1168, [REDACTED], 29 Nov 04
18. AF Form 1168, [REDACTED], 29 Nov 04
19. LOC, 1 Nov 04
20. LAFB Form 205, 29 Mar 04
21. Airman's Receipt of Notification Memorandum *wd*