

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AFSN/SSAN

A1C

TYPE GEN

PERSONAL APPEARANCE

X

RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS AND OR ORGANIZATION OF COUNSEL

YES

No

X

MEMBER SITTING

VOTE OF THE BOARD

HON

GEN

UOTHC

OTHER

DENY

X

X

X

X

X

ISSUES

A93.19

A94.05

INDEX NUMBER

A69.00

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 DATE

CASE NUMBER

21 Dec 2005

FD-2005-00244

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

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.

Names and votes will be made available to the applicant at the applicant's request.

SIGNATURE OF RECORDER

SIGNATURE OF BOARD PRESIDENT

INDORSEMENT

DATE: 12/21/2005

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

FD-2005-00244

GENERAL: The applicant appeals for upgrade of discharge to honorable, change the reason and authority for the discharge, 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: Upgrade of discharge, change of reason and authority for discharge, and change of reenlistment code are 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: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received a General Discharge for failure in the alcohol rehabilitation program. In addition, he also received four Letters of Reprimand, three Records of Individual Counseling and an Unfavorable Information File for failure to obey a direct order, underage drinking, disruptive behavior, disrespectful toward NCOs, foul language, financial irresponsibility, abusing military property, dereliction of duty and not in compliance with uniform appearance. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge 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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Mountain Home AFB, ID on 11 May 94 UP AFR 39-10, para 5-32c (Alcohol Rehabilitation Failure). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 11 Jan 73. Enlmt Age: 17 7/12. Disch Age: 21 4/12. Educ: HS DIPL. AFQT: N/A. A-63, E-61, G-62, M-36. PAFSC: 1C052 - Operations Resource Management Journeyman. DAS: 10 Oct 91.

b. Prior Sv: (1) AFRes 07 Sep 90 - 06 Aug 91 (11 months) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 07 Aug 91 for 4 yrs. Svd: 02 Yrs 09 Mo 05 Das, all AMS.

b. Grade Status: A1C - 07 Dec 92
Amn - 07 Feb 92

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 28 APR 94 - Failure to obey a direct order.
LOR, 19 AUG 93 - Underage drinking, volume of stereo too loud, rowdy and disruptive behavior.
RIC, 21 SEP 93 - Disrespectful toward NCOs and foul language.
LOR/UIF, 27 APR 93 - Financial irresponsibility.
LOR/UIR, 27 APR 93 - Abused military property.
RIC, 19 MAR 92 - Dereliction of duty.
RIC, 07 Aug 92 - Not in compliance with uniform appearance.

f. CM: None.

g. Record of SV: 07 Aug 91 - 06 Apr 93 Mountain Home AFB 3 (Initial)
07 Aug 93 - 06 Apr 94 Mountain Home AFB 2 (Annual) REF

h. Awards & Decs: NDSM, SWASM W/1 DEV, AFTR.

i. Stmt of Sv: TMS: (03) Yrs (08) Mos (05) Das
TAMS: (02) Yrs (09) Mos (05) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 16 Jun 05.

(Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

27JUL05/ia

June 27, 2005


Air Force Review Boards Agency
SAF/MRBR
550-C Street West, Suite 40
Randolph AFB, TX 78150-4742

To Whom It May Concern:

I am a 32 year old male who served in the USAF from August, 1991 to May, 1994. During that time, I had the distinct privilege and honor to serve my country both stateside and abroad in Dhahran, Saudi Arabia during Operation Desert Storm. Throughout my military career, I had always exhibited a high standard in my work and a dedication to serving my country to the best of my abilities. While deployed as an E-2 to Saudi Arabia, I took on a project of getting 5 fighter squadrons online and communicating with computer systems in the US to allow entry of flight hours and events. This was a feat that several superiors had attempted to do, but with no success. While serving in the USAF, I had encountered disciplinary action due to my use of alcoholic beverages while under the age of 21, which eventually led to my discharge with a reentry code of "2B" on my DD214, prohibiting me from reenlisting. I have never, nor did I ever have a problem with alcohol and I stand firm with many who believe that if a soldier can carry a weapon and die for his/her country, than why such a stiff penalty for drinking. I found it difficult to understand and comprehend how a uniformed service could have a different set of rules and punishment based upon where you are stationed. Although I was only 18, others that were the same age as I serving abroad overseas did not face the same punitive action for consuming alcoholic beverages. At 18, I was young, immature and had much growing to do. I will be the first to admit that I wish I would have done things differently. Today, at age 32, I am much more mature, focused and driven to succeed in all that I do. With the world in chaos as it is today, I believe now more than ever that I have a duty to fight for the very freedom that has made this country great! I loved my time in the USAF and I yearn for the opportunity to be able to reenlist and make an impact and a difference. I would hope that the board could find leniency in granting an upgrade to my discharge status, as well as enabling me to reenlist by changing my reentry code.

Thank you in advance for your consideration. I sincerely hope that a level of understanding and fairness will be used in evaluating my situation.

Sincerely,





DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 366TH WING (ACC)
MOUNTAIN HOME AIR FORCE BASE, IDAHO

FD 2005-00244

MEMORANDUM FOR A1C [REDACTED]

FROM: 389 FS/CC

2 May 94

SUBJECT: Notification Letter


1. I am recommending your discharge from the United States Air Force for failure in alcohol abuse rehabilitation. AFR 39-10, paragraph 5-32(c), authorizes this action. If my recommendation is approved, your service will be characterized general.
2. I'm taking this action because of your unwillingness to cooperate with the alcohol abuse rehabilitation. Specifically:
 - a. On or about 26 Apr 94, you openly admitted you violated a direct order from the commander that you not consume alcoholic beverages for a 90 day period while you were entered in Track IV of the alcohol rehabilitation program (Atch 1).
 - b. On 1 Dec 93, Social Actions at MHAFB was notified that you called Keflevik, Iceland and stated you were looking forward to PCSing there so you could drink and party with them (Atch 2).
 - c. On 18 Aug 93, you were observed in your dormitory consuming alcoholic beverages in violation of Idaho state codes after being counseled for this the previous week (Atch 3).
3. The Area Defense Counsel has been obtained to assist you. I have made an appointment for you to consult Captain [REDACTED] building 512, on 2 May 94, at 0900. You must ensure that a copy of your discharge package is provided to your counsel for his review. 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 5 May 94 unless you request and receive an extension for good cause show. I will send them to the separation authority.
5. Your failure to consult counsel or to submit statements in your own behalf, will constitute a waiver of your right to do so.
6. You must report to the USAF Hospital, Mountain Home AFB, Examination Section, with your medical records, immediately for blood tests. You have been scheduled for a medical examination, at the above location, at 1015, on 2 May 94. You must be in uniform. If you wear glasses, wear them and also bring your shot records with you.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act as explained in AFR 39-10, Atch 2. A copy of AFR 39-10 is available for your use in the unit orderly room..

8. You will surrender your ID card to me immediately.

9. This letter authorizes you to proceed to the Security Police, Pass and Registration Section, building 512, no later than 0900 3 May where you will turn in your Mountain Home AFB vehicle sticker and your USAF vehicle decal after which you will be issued a temporary permit and a temporary ID card good for 90 days. If the discharge action is still pending at the end of 90 days, another temporary ID card and temporary vehicle decal will be issued to you until the case is finalized.

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

, Lt Col, USAF
Commander, 389th Fighter Squadron

Attachments:

1. LOR, 28 Apr 94
2. MFR, undated
3. LOR, 19 Aug 93