

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	GRADE A1C	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 2px;">YES</td> <td style="width:50%; padding: 2px;">No</td> </tr> <tr> <td style="text-align: center; padding: 2px;">X</td> <td style="padding: 2px;"></td> </tr> </table>	YES	No	X			
YES	No					
X						

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					X**
					X**
					X**
					X**
					X**

ISSUES A94.11 A94.05 A01.25 A01.51	INDEX NUMBER A66.00	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="padding: 2px;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr> <td style="width:5%; padding: 2px; text-align: center;">1</td> <td style="padding: 2px;">ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="padding: 2px; text-align: center;">2</td> <td style="padding: 2px;">APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="padding: 2px; text-align: center;">3</td> <td style="padding: 2px;">LETTER OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px; text-align: center;">4</td> <td style="padding: 2px;">BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;">COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;">ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;">TAPE RECORDING OF PERSONAL APPEARANCE HE</td> </tr> </tbody> </table>	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 HE
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HEARING DATE 10 Aug 2006	CASE NUMBER FD-2005-00388	
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard in 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.

*Reason and Authority
 +Reenlistment Code

SIGNATURE OF RECORDER <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>	SIGNATURE OF BOARD PRESIDENT <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>
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TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	INDORSEMENT	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
		DATE: 8/30/2006

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for 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: 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. She further contends the discharge was based on inadmissible utter hearsay, no physical proof of drug abuse, and negative urinalysis. Applicant states her commander made an unfair judgment, did not thoroughly review the situation and disregarded her submissions. The Board found nothing in the records to substantiate any of these contentions. The records indicated the applicant received an Article 15 and two Letters of Counseling for misconduct. The applicant received an Article 15 for wrongful use of Vicodin, a Schedule III controlled substance, which was the basis for her discharge. She was punished with a suspended reduction in grade to airman and 15 days of extra duty. The records also reflected that she received two Letters of Counseling for failing to bring CDC's into work for mandatory study time and for being disrespectful to a commissioned officer. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her 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

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Elmendorf AFB, AK on 10 Aug 05 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 20 Sep 84. Enlmt Age: 18 0/12. Disch Age: 20 10/12. Educ: HS DIPL. AFQT: N/A. A-63, E-62, G-49, M-41. PAFSC: 4A051 - Health Services Management Journeyman. DAS: 28 May 03.

b. Prior Sv: (1) AFRes 8 Oct 02 - 9 Dec 02 (2 months 3 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 10 Dec 02 for 4 yrs. Svd: 02 Yrs 08 Mo 01 Das, all AMS.

b. Grade Status: A1C - 10 Apr 04
Amn - 10 Jun 03

c. Time Lost: None.

d. Art 15's: (1) 8 Jun 05, Elmendorf AFB, AK - Article 112a. You, did, at or near Anchorage, Alaska, between on or about 1 Sep 04 and on or about 1 Nov 04, wrongfully use Vicodin (Hydrocodone), a Schedule III controlled substance. Suspended reduction to Airman. Fifteen days extra duty. (No appeal) (No mitigation)

e. Additional: LOC, 08 JUN 04 - Failure to bring CDCs into work for mandatory study time.
LOC, 26 MAY 04 - Disrespectful to a commissioned officer.

f. CM: None.

g. Record of SV: 10 Dec 02 - 09 Aug 04 Elmendorf AFB 3 (Initial)
10 Aug 04 - 17 Jun 05 Elmendorf AFB 2 (Cmdr Dir) REF

h. Awards & Decs: GWOTSM, AFTR, NDSM, AFOUA, AFOSLTR.

i. Stmt of Sv: TMS: (02) Yrs (10) Mos (03) Das
TAMS: (02) Yrs (08) Mos (01) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 25 Sep 05.
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority

for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. Discharge Package.
3. Service Medical Records.

02NOV05/ia

APPLICATION FOR THE REVIEW OF DISCHARGE OR DISMISSAL FROM THE ARMED FORCES OF THE UNITED STATES
(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

Form Approved
 OMB No. 0704-0004
 Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0004), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.

a. BRANCH OF SERVICE (X one)	<input type="checkbox"/> ARMY	<input type="checkbox"/> MARINE CORPS	<input type="checkbox"/> NAVY	<input checked="" type="checkbox"/> AIR FORCE	<input type="checkbox"/> COAST GUARD
b. NAME (Last, First, Middle Initial)	c. GRADE/RANK AT DISCHARGE			d. SOCIAL SECURITY NUMBER	
	E-3				

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 20050810	4. DISCHARGE CHARACTERIZATION RECEIVED (X one)	5. BOARD ACTION REQUESTED (X one)	
	<input type="checkbox"/> HONORABLE		<input type="checkbox"/> CHANGE TO HONORABLE
	<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS		<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
	<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS		<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 3MDOS/ELMENDORFAFB, AK	<input type="checkbox"/> BAD CONDUCT (Special court-martial only)	<input checked="" type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION TO: SECRETARIAL AUTHORITY	
	<input type="checkbox"/> UNCHARACTERIZED		
	<input type="checkbox"/> OTHER (Explain)		

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 14. See instructions on Page 3.)
 1. I DO NOT FEEL I WAS DISCHARGED JUSTLY BECAUSE MY DISCHARGE WAS BASED ON INADMISSIBLE AND UTTER HEARSAY. 2. MY DISCHARGE WAS UNJUST BECAUSE I WAS TOLD I WOULD REMAIN IN THE U.S. AIR FORCE, WHICH IS WHY MY COMMANDER DECIDED ONLY TO SUSPEND MY STRIPE UNTIL 7 DECEMBER 2005, AFTER WHICH TIME IT WOULD BE REMITTED WITHOUT FURTHER ACTION, UNLESS SOONER VACATED, AND 15

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) _____ AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 17. If military documents or medical records are relevant to your case, please send copies.)
 DISCHARGE PACKAGE AND SUPPORTING DOCUMENTS PREVIOUSLY RECEIVED (POC: MS DEBRA YEAGER), MEMORANDUMS FOR AIR FORCE REVIEW BOARDS AGENCY, AND SERVICE MEDICAL RECORDS.

9. TYPE OF REVIEW REQUESTED (X one)

<input checked="" type="checkbox"/>	CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.
<input type="checkbox"/>	I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.
<input type="checkbox"/>	I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) _____ (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

10. a. COUNSEL/REPRESENTATIVE (if any) NAME (Last, First, Middle Initial) AND ADDRESS (See item 10 of the instructions about counsel/representative.) NONE	b. TELEPHONE NUMBER (Include Area Code)
	c. E-MAIL
	d. FAX NUMBER (Include Area Code)

11. APPLICANT MUST SIGN IN ITEM 13.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate and relationship by marking a box below.

<input type="checkbox"/>	SPOUSE	<input type="checkbox"/>	WIDOW	<input type="checkbox"/>	WIDOWER	<input type="checkbox"/>	NEXT OF KIN	<input type="checkbox"/>	LEGAL REPRESENTATIVE	<input type="checkbox"/>	OTHER (Specify)
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12. a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE (Forward notification of any change in address.)	b. TELEPHONE NUMBER (Include Area Code)
	c. E-MAIL cnsecratdcarizma@aol.com
	d. FAX NUMBER (Include Area Code)

13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. (U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)	CASE NUMBER (Do not write in this space.) FD2005-00388
a. SIGNATURE - REQUIRED (Applicant or person in item 11 above)	b. DATE SIGNED - REQUIRED (YYYYMMDD) 20051014

14. CONTINUATION OF ITEM 8, ISSUES (If applicable)

DAYS EXTRA DUTY. 3. MY DISCHARGE WAS INEQUITABLE BASED ON MY COMMANDERS UNFAIR JUDGMENT CALL. 4. MY DISCHARGE WAS UNWARRANTED BASED ON THE PREPONDERANCE OF EVIDENCE. 5. MY DISCHARGE WAS UNJUSTLY CARRIED OUT EVEN THOUGH THERE WAS NO POSITIVE URINALYSIS. 7. MY DISCHARGE WAS UNJUST CONSIDERING THERE WAS NO PHYSICAL PROOF. 8. MY DISCHARGE WAS UNJUST BECAUSE MY CASE WAS NOT THOROUGHLY REVIEWED BY MY COMMANDER. 7. MY DISCHARGE WAS INAPPROPRIATE BECAUSE TRUTH WAS NOT PURSUED. 9. MY DISCHARGE WAS UNJUSTLY SERVED BECAUSE IT WAS IN VIOLATION OF MY CONSTITUTIONAL RIGHTS. 10. MY DISCHARGE WAS UNJUST BECAUSE MY COMMANDER DISREGARDED MY SUBMISSIONS.

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

16. REMARKS (If applicable)

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

ARMY

Army Review Boards Agency
Support Division, St. Louis
9700 Page Avenue
St. Louis, MO 63132-5200
(See <http://arbs.army.pentagon.mil>)

NAVY AND MARINE CORPS

Naval Council of Personnel Boards
720 Kennon Street, S.E.
Room 309 (NDRB)
Washington Navy Yard, DC 20374-5023

AIR FORCE

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

COAST GUARD

U.S. Coast Guard
Commandant (G-WPM)
2100 Second Street, S.W. Room 5500
Washington, DC 20593



DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

26 September 2005

MEMORANDUM FOR: BOARD FOR CORRECTION OF AIR FORCE RECORDS
WOMEN OF CONGRESS
CONGRESSMEN

FROM: [REDACTED]

SUBJECT: UNJUSTLY SENTENCED

1. I was accused of an offense I did not commit while I was stationed at Elmendorf AFB, Alaska. My former squadron Commander, Colonel [REDACTED], made a judgment call based on the complete and utter hearsay of one person. This person stated that he gave me one Vicodin pill. My Commander had no positive drug urinalysis, no physical proof, and her only witness was discredited four times by witness testimonies in my defense. Unfortunately, I was found guilty in the eyes of my Commander and consequently later discharged from the military.

2. Prior to the initiation of my discharge, I was told I would remain in the United States Air Force after my Commander passed judgment. My Commander did not take any stripes away from me, but she did suspend a stripe until 7 December 2005, and gave me fifteen days of extra duty.

3. Also, after my Commander informed me of her decision, my First Sergeant, SMSgt [REDACTED] sat down with my supervisor, SSgt [REDACTED], and myself. I verbally asked him in front of my supervisor if I was going to be discharged. He answered "no". My supervisor also discussed with the First Sergeant the reasons why I was remaining in the military.

4. I told my attorney, Capt [REDACTED], everything that had happened and that was said. She informed me that the AFI states if any action is taken concerning a controlled substance, discharge has to be initiated. Therefore, I brought it to my commands attention. My First Sergeant said he would talk to legal. Subsequently, my command found out that they had made a mistake and would have to initiate discharge.

5. There was a stipulation in the AFI that stated a retention package could be drawn up in order to retain a member convicted of using a controlled substance. However, I did not meet the retention criteria. The criteria required confession to the controlled substance abuse, and I have not ever, nor will I ever in the future admit to something I did not do. In addition, the criteria also states that the incident has to be a first time offense. When I decided to join the military I was asked if I had ever used any illegal drugs, and I told my recruiter when I was younger I had used marijuana. For that reason, my drug use at age 13 was considered my first time offense. I would not lie about illegal drug use prior to service and I am not lying now. I did not ingest the Vicodin pill in which I was discharged for.

6. Moreover, when my Commander found me guilty of the offense I did not commit, I decided to file for redress under Article 138, against my Commander for committing an arbitrary, capricious, and clearly unfair act, careless attention to detail, failure to thoroughly review, non-pursuance of the truth,

and for the fact I was told I would remain in the United States Air Force. I was unable to file the redress under Article 138 as quickly as I would have liked to, for the reason that my attorney and I were only able to discuss my case over the phone and through email. My attorney was stationed out of Travis AFB in California and later PCS'd to Bolling AFB in Washington D.C. while handling my case. After I had written the redress under Article 138 and received counsel, I went to my First Sergeant to discuss my decision to file on 13 July 2005. My First Sergeant asked me condescendingly what I had planned to gain by filing this complaint, and if I was trying to cut my own throat. On 15 July 2005, I brought the redress to my First Sergeant's office to file. I tried to have him sign for acknowledgement of receipt and he refused. He also stated that he didn't believe my Commander would sign for receipt either, but that he would personally deliver it to my Commander when we were through talking. When I went to check the status of the redress, my First Sergeant said my Commander was going to talk to legal.

8. My final out date was 10 August 2005. I did not receive a response from my squadron Commander until 11 August 2005. She tried to state that she received the redress under Article 138 on 9 August 2005, but as I also stated in my memorandum addressed to her in reference to her response given to me on 11 August 2005, she received the redress on 15 July 2005 unless my First Sergeant, SMSgt Watts, lied about personally delivering it to her on 15 July 2005. Additionally, she had to of been well aware of the redress prior to 9 August 2005, because acting First Sergeant, MSgt [redacted] told me on 25 July 2005, that my Commander was not going to respond and that I was to press with the complaint to the 3rd Wing Commander. As directed, I delivered the complaint to the Wing Commander on 28 July 2005. My Commander and First Sergeant also tried to deny the fact that I was told I would remain in the Air Force, and said what they meant, was that they were going to try to retain me, but there are active members, including my former supervisor, and prior members of the Air Force, that can credibly testify I was told I would be retained. The retention package was not even discussed until after my lawyer brought the discharge initiation to my command's attention.

9. In all honesty, I am not trying to disrupt the peace amongst those involved in my case, but this accusation was brought against an innocent member of the United States military. I was not treated fairly, nor do I believe the process of my case and discharge carried out honorably by my leadership. I committed my life to the military. I knew before I joined what I was and wasn't allowed to do. I did not go through basic training, tech school, permanent party, or separation from my family to lose my career to a controlled substance that I did not ingest. I seek justice on behalf of myself and any future member of the United States military accused of an offense and unjustly sentenced. Thank you graciously for your time.

GENUINELY,

[Redacted signature box]

FORMER UNITED STATES AIR FORCE MEMBER



DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

14 October 2005

MEMORANDUM FOR AIR FORCE REVIEW BOARDS AGENCY

FROM: [REDACTED]

SUBJECT: ADDITIONAL REQUEST

1. I have spent countless hours trying to prove my innocence and will continue to do whatever is asked of me to attest my innocence. I have rebutted and appealed every statement and document unjustly served. I obtained statements from other witnesses that testify to my innocence and character. I have done everything in my power that I know to do. A lot of people think that I should give up, because this is too hard. Honestly, this takes a serious amount of endurance to not give up, especially when my submissions are constantly denied or disregarded every time I've stood up for myself.
2. If I am found innocent in your eyes, I request that my discharge be upgraded to Honorable, my RE code be changed to permit the opportunity to enlist again if ever I would choose to, and that the narrative reason for my separation changed to adequately describe a just reason.
3. I reverently ask these additional requests to be attached to my DD Form 293.

VERY RESPECTFULLY,

[REDACTED]
FORMER UNITED STATES AIR FORCE MEMBER



DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

JUL 21 2005

MEMORANDUM FOR A1C: [REDACTED] 3 MDOS

FROM: 3 MDOS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for drug abuse, specifically, Vicodin. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.54. If my recommendation is approved, your service will be characterized as honorable, general or under other than honorable conditions (UOTHC). I am recommending your service be characterized as general
2. My reasons for this action is: Between 1 Sep 04 and 1 Nov 04, you wrongfully used Vicodin, a schedule III controlled substance. For this offense, you received nonjudicial punishment, under Article 15, consisting of a suspended reduction to the grade of airman and 15 days extra duty. This action established an Unfavorable Information File (UIF). (Atch 1)
3. In accordance with AFI 36-3208, paragraph 5.54, drug abuse is incompatible with military service and airmen who abuse drugs one or more times are subject to discharge for misconduct. In addition, a member found to have abused drugs will be discharged unless the member meets all seven retention criteria as listed in AFI 36-3208, paragraph 5.55.2, one of which states that drug abuse occurred as the result of drug experimentation (a drug experimenter is defined as one who has illegally or improperly used a drug for reasons of curiosity, peer pressure, or other reasons). An investigation of your Unit Personnel Record Group (UPRG) revealed that you admitted to using marijuana in March 1996, prior to entering the Air Force. Because you have used drugs in the past, your recent drug abuse is not experimentation. As a result, you do not meet the seven retention criteria. (Atch 2-4)
4. Though not used as a basis for this discharge action, the following will be forwarded to the separation authority for review in consideration of your service characterization:
 - a. On 2 Jun 04, you failed to bring your Career Development Course (CDC) to work for mandatory study time. For this offense, you received a Letter of Counseling, dated 8 Jun 04. (Atch 5)
 - b. On 26 May 04, you were disrespectful to a commissioned officer. For this offense, you received a Letter of Counseling, dated 26 May 04. (Atch 6)
5. 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 are 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.

6. 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], 552-3887, at Bldg 10480, Room 330 on 26 Jul 05 at 0830. You may consult civilian counsel at your own expense.

7. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me within three duty days after the date of this letter unless you request and receive an extension for good cause shown. I will forward any statements you provide to the separation authority.

8. 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.

9. You have been scheduled for medical examinations. You must report, with your medical records, to the 3rd Aerospace Medicine Squadron, Bldg 5595, at 0920 on 22 Jul 05 for your first exam, at which time you will be notified of the time for your second exam. Bring with you the Medical Assessment Letter (DD Form 2697). You are to refrain from alcohol for 72 hours, and refrain from the use of tobacco products for 6 hours, prior to examination. Bring eyeglasses (and contact solution if using contacts) if applicable. You must be in uniform for these examinations.

10. You have been scheduled for a Transition Assistance Program briefing. You must report to the Family Support Center at 1500 on 22 Jul 05. You have also been scheduled for a TMO Household Goods Shipment preprocessing briefing. You must report to Bldg 8517 (People Center), Room 247 at 1400 on 21 Jul 05. You must be in uniform for all appointments.

11. 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 at your Squadron Orderly Room.

[redacted signature box]

Commander

Attachments:

1. AF Form 3070 (Article 15), dtd 8 Jun 05
2. DD Form 1966
3. AF Form 2030, dtd 2 Oct 02
4. SF 86, pg. 8 (Security Questionnaire)
5. Letter of Counseling, dtd 8 Jun 04
6. Letter of Counseling, dtd 26 May 04