

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

|   |              |   |
|---|--------------|---|
| NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)<br><div style="border: 1px dashed black; height: 20px; width: 100%;"></div> | GRADE<br>A1C | AFSN/SSAN<br><div style="border: 1px dashed black; height: 20px; width: 100%;"></div> |
|---|--------------|---|

|                                      |     |                                     |  |               |  |
|--------------------------------------|-----|-------------------------------------|--|---------------|--|
| TYPE                                 | GEN | PERSONAL APPEARANCE                 | <b>X</b>                               | RECORD REVIEW |  |
| COUNSEL<br>YES    No<br><br><b>X</b> |     | NAME OF COUNSEL AND OR ORGANIZATION | ADDRESS AND OR ORGANIZATION OF COUNSEL |               |  |

| MEMBER SITTING | VOTE OF THE BOARD |     |       |       |      |
|----------------|-------------------|-----|-------|-------|------|
|                | HON               | GEN | UOTIC | OTHER | DENY |
|                |                   |     |       |       | X    |
|                |                   |     |       |       | X    |
|                |                   |     |       |       | X    |
|                |                   |     |       |       | X    |
|                |                   |     |       |       | X    |

|  |  |  |   |                            |   |                                     |   |                        |   |                         |  |                                |  |  |  |  |
|--|--|--|---|----------------------------|---|-------------------------------------|---|------------------------|---|-------------------------|--|--------------------------------|--|--|--|--|
| ISSUES<br><b>A92.21</b><br><b>A94.05</b> | INDEX NUMBER<br><b>A67.10</b>                                | <b>EXHIBITS SUBMITTED TO THE BOARD</b><br><table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:5%; text-align: center;">1</td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;">2</td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;">3</td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;">4</td><td>BRIEF OF PERSONNEL FILE</td></tr> <tr><td></td><td>COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td></td><td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td></td><td>TAPE RECORDING OF PERSONAL APPEARANCE HE</td></tr> </table> | 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 |
| 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                     |  |   |                            |   |                                     |   |                        |   |                         |  |                                |  |  |  |  |

|                                    |                                     |
|------------------------------------|-------------------------------------|
| HEARING DATE<br><b>14 Sep 2006</b> | CASE NUMBER<br><b>FD-2006-00016</b> |
|------------------------------------|-------------------------------------|

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL 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.

|   |  |
|---|--|
| SIGNATURE OF RECORDER<br><i>[Signature]</i> | SIGNATURE OF BOARD PRESIDENT<br><i>[Signature]</i> |
|---|--|

|   |  |
|---|--|
| TO:<br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742 | FROM:<br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7002 |
| DATE: 9/18/2006   |  |

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00016**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

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 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:**

Issue 1. Although not explicitly stated, applicant contends his discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15, a Letter of Reprimand, two Letters of Counseling, and a Record of Individual Counseling for misconduct. The applicant was administratively disciplined for being late to work, late for class and failure to control pets. He received an Article 15 with three specifications for being derelict in the performance of duties. He was reduced in grade to airman first class and restricted to the limits of Mountain Home AFB, Idaho for 28 days. 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.

Issue 2. The DRB was pleased to see that the applicant was doing well and has a desire to join the FBI upon completion of his baccalaureate degree. However, no inequity or impropriety in his discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized his term of service.

If he can provide additional documented information to substantiate an issue, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

**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 SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Mountain Home AFB, ID on 5 Apr 05 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 3 Aug 82. Enlmt Age: 18 6/12. Disch Age: 22 8/12. Educ: HS DIPL. AFQT: N/A. A-76, E-76, G-66, M-64. PAFSC: 2A353B - Tactical Aircraft Maintenance Journeyman. DAS: 26 Dec 01.

b. Prior Sv: (1) AFRes 15 Feb 01 - 9 Apr 01 (1 month 25 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 10 Apr 01 for 6 yrs. Svd: 03 Yrs 11 Mo 26 Das, all AMS.

b. Grade Status: A1C - 10 Feb 05 (Article 15, 10 Feb 05)  
SrA - 25 Sep 03  
A1C - 12 Oct 01

c. Time Lost: None.

d. Art 15's: (1) 10 Feb 05, Mountain Home AFB, ID - Article 92. You, who knew of your duties, on or about 7 Dec 04, were derelict in the performance of those duties in that you willfully failed to follow Maintenance News Flash 03-10, by attempting to correct a maintenance discrepancy without the use of a technical order, as it was your duty to do. You, who knew of your duties, on or about 28 Dec 04, were derelict in the performance of those duties in that you willfully failed to follow Technical Order 1F-16CJ-35JG-00-1, by failing to perform step 16 which requires that door 2206 be opened and the LOX quantity circuit breaker be pulled; and Technical Order 1F-16CJ-24JG-30-1, by failing to perform step 2 which requires that door 3312 be opened and 10 circuit breakers be pulled; and you willfully failed to follow Mountain Home AFB Local Checklist CS-02, by failing to deplete the emergency power unit nitrogen, as it was your duty to do. You, who knew of your duties, on or about 19 Nov 04, were derelict in the performance of those duties in that you willfully failed to review the aircraft 781 series forms prior to towing aircraft 93-0541, as it was your duty to do. Reduction to A1C, and restriction to the limits of Mountain Home AFB, ID, for

28 days. (No appeal) (No mitigation)

- e. Additional: LOC, 12 JUN 03 - Failure to control pets.  
                   RIC, 11 DEC 02 - Late for class.  
                   LOR, 18 SEP 02 - Late for work.  
                   LOC, 18 JUN 02 - Late for work.
- f. CM: None.
- g. Record of SV: 12 Apr 01 - 11 Dec 02 Mountain Home AFB 3 (Initial)  
                   12 Dec 02 - 11 Dec 03 Mountain Home AFB 3 (Annual)  
                   12 Dec 03 - 11 Dec 04 Mountain Home AFB 2 (Annual)REF
- h. Awards & Decs: AFTR, NDSM, AFOUA, GWOTSM.
- i. Stmt of Sv: TMS: (04) Yrs (01) Mos (21) Das  
                   TAMS: (03) Yrs (11) Mos (26) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 14 Jan 06.  
 (Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. AF Form 100.
3. DD Forms 214 (Member 1 & 4).

22FEB06/ia

JAN 09 2006

JAN 19 2006

FD 2006-00016

**APPLICATION FOR THE REVIEW OF DISCHARGE 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 the Department of Defense, Executive Services and Communications Directorate (0704-0004). 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 ORGANIZATION. 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)          | ARMY                       | MARINE CORPS | NAVY                      | <input checked="" type="checkbox"/> AIR FORCE | COAST GUARD |
| b. NAME (Last, First, Middle Initial) | c. GRADE/RANK AT DISCHARGE |              | d. SOCIAL SECURITY NUMBER |   |             |
|                                       | A1C                        |              |                           |   |             |

|   |  |   |
|---|--|---|
| 2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) | 4. DISCHARGE CHARACTERIZATION RECEIVED (X one) | 5. BOARD ACTION REQUESTED (X one)                       |
|   | <input checked="" type="checkbox"/> HONORABLE  | <input checked="" type="checkbox"/> CHANGE TO HONORABLE |

|   |  |  |
|---|--|--|
| 3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION | <input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS | CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS             |
|   | <input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS         |  |
|   | <input type="checkbox"/> BAD CONDUCT (Special court-martial only)      | CHANGE TO UNCHARACTERIZED (Not applicable for Air Force) |
|   | <input type="checkbox"/> UNCHARACTERIZED                               | CHANGE NARRATIVE REASON FOR SEPARATION TO:               |
|   | <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.)**

I am requesting my upgrade because I wish to join the FBI after I get my Bachelors Degree in Criminal Justice. I served 4 days short of 4 years and under normal conditions I wouldn't have been discharged. I was discharged for minor disciplinary infraction during force shaping; and my chain of command wasn't going to discharge me until I decided not to divorce my wife. There was a span of over a year in which I never acquired any disciplinary infraction. My supervisor (when I was discharged) believe that I shouldn't

**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.)**  
 copy of my discharge paperwork

**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.)**

|   |
|---|
| 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 the name (print) 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) |
|---------------------------------|--------------------------------|----------------------------------|--------------------------------------|---|--|

**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                               |
| 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.)

|  |                                      |               |
|--|--------------------------------------|---------------|
| a. SIGNATURE - REQUIRED (Applicant or person in Item 11 above) | b. DATE SIGNED - REQUIRED (YYYYMMDD) | FD 2006-00016 |
|  | 20060114                             |               |



**DEPARTMENT OF THE AIR FORCE**  
366TH AIRCRAFT MAINTENANCE SQUADRON (ACC)  
MOUNTAIN HOME AFB, IDAHO 83648

MAR 16 2005

MEMORANDUM FOR A1C [redacted]

FROM: 366 AMXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as an Honorable, Under Honorable Conditions (General) Discharge, or Under Other Than Honorable Conditions (UOTHC). I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reasons for this action are:

a. On or about 28 Dec 04, you willfully failed to follow Technical Orders and checklists. As a result, you received an Article 15, UCMJ, dated 10 Feb 05. (Atch 1).

b. On or about 07 Dec 04, you were derelict in your duties because you willfully failed to follow a Maintenance News Flash. As a result, you received an Article 15, UCMJ, dated 10 Feb 05, the same noted above. (Atch 1).

c. On or about 19 Nov 04, you willfully failed to review particular forms prior to towing an aircraft. As a result, you received an Article 15, UCMJ, dated 10 Feb 05, the same noted above. (Atch 1).

d. On or about 12 Jun 03, you violated base regulations by failing to control your pets. As a result, you received a Letter of Counseling (LOC), dated 12 Jun 03. (Atch 2).

e. On 11 Dec 02, you were one hour late for class. As a result, you received a Record of Individual Counseling (RIC), dated 11 Dec 02. (Atch 3).

f. On 18 Sep 02, you failed to show for work on time. As a result, you received a Letter of Reprimand (LOR), dated 18 Sep 02. (Atch 5).

g. On or about 18 Jun 02, you failed to show for work on time. As a result, you received a LOC, dated 18 Jun 02. (Atch 4).

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 higher authority will decide whether you will be discharged or retained in the United States 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. The separation authority will make the findings and recommendations required under 10 U.S.C. Section 2005(g).
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 Captain \_\_\_\_\_ at 750 Desert Ave, on 17 MAR 05, at 0800 hours. You may consult civilian counsel at your own expense.
5. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me within three workdays of the date of this memorandum unless you request and receive an extension for good cause shown. I will forward 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 have been scheduled for a medical examination. You must report to the Force Health (~~Public Health~~) Management Section, Mountain Home AFB Hospital on 18 MAR 05, at 0900 hours for the 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 at your Orderly Room.
9. Proceed with this letter to the Military Personnel Flight (MPF), Customer Service, Building 512, Mountain Home AFB no later than CDB 17 MAR 05 where you will be issued 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 will be issued to you until the case is finalized.
10. Proceed with this letter to the Security Forces, Pass and Registration Section, Building 7001, Visitor Control Center, no later than CDB 17 MAR 05 where you will turn in your Mountain Home AFB vehicle sticker and your DoD vehicle decal after which you will be issued a temporary vehicle pass good for 90 days. If the discharge action is still pending at the end of 90 days, another temporary vehicle decal will be issued to you until the case is finalized.
11. Proceed with this letter to the Traffic Management Office (TMO), in building 512, immediately after receiving your separation orders from the Separations Section at the MPF for arranging shipment of your household goods.

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

[Redacted Signature Box]

Commander

**Attachments:**

1. Article 15, dated 10 Feb 05
2. LOC, dated 12 Jun 03
3. RIC, dated 11 Dec 02
4. LOR, dated 18 Sep 02
5. LOC, dated 18 Jun 02