

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL	
NAME OF COUNSEL AND OR ORGANIZATION			
YES	No		
	X		

VOTE OF THE BOARD				
HON	GEN	UOHC	OTHER	DENY
				X**
				X**
				X**
				X**
				X**

ISSUES	A92.41	INDEX NUMBER	A49.00	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
HEARING DATE	07 Feb 2011	CASE NUMBER	FD-2009-00443		

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

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 20762-7001
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, 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 and requests that the review be completed based on the available service record.

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

**FINDING:** The Board denies the upgrade of the 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 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.

**ISSUES:**

Issue 1. Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant was discharged for both unsatisfactory performance, failure to progress in military training, and for minor disciplinary infractions. He twice failed his end of course exams for his Career Development Course. He also received three Letters of Reprimand and three Letters of Counseling for misconduct. The misconduct included dereliction of duty, failure to report to work on time, failing to pay a just debt, failure to adhere to dress and appearance standards, and disobeying an order. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded that the negative aspects of the applicant's service outweighed the positive contributions he made in his Air Force career. The characterization of the discharge received by the applicant was found to be appropriate.

Issue 2. The applicant submits that he believes he deserves a second chance despite his discrepancies so that he may serve his country in the United States Armed Forces. The Board found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.

**CONCLUSION:** 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 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 and determines the discharge should remain unchanged.

Attachment:  
Examiner's Brief

AFRBA

# 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.)

OMB No. 0704-0004  
OMB approval expires  
Oct 31, 2009

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 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	X	AIR FORCE	COAST GUARD
b. NAME (Last, First, Middle Initial)	c. GRADE/RANK AT DISCHARGE			d. SOCIAL SECURITY NUMBER		
				E-3		
e. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON NAMED IN ITEM 11 (Forward notification of any change in address.)				f. PHONE NUMBER (Include Area Code)		
				g. E-MAIL		
				h. FAX NUMBER (Include Area Code)		

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (if date is more than 15 years ago, submit a DD Form 149)  20070501	4. DISCHARGE CHARACTERIZATION RECEIVED (X one)		5. BOARD ACTION REQUESTED (X one)	
	<input type="checkbox"/>	HONORABLE	X	CHANGE TO HONORABLE
	X	GENERAL/UNDER HONORABLE CONDITIONS		CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
		UNDER OTHER THAN HONORABLE CONDITIONS		CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 8th Mission Support Sqdn Kunsan AFB ROK	<input type="checkbox"/>		BAD CONDUCT (Special court-martial only)	X CHANGE NARRATIVE REASON FOR SEPARATION: RE code
<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 13. See instructions on Page 3.)

I am requesting change of RE code allowing me to re-enlist. I feel my discharge was expedited unfairly. Please advise on how to proceed.

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 14. If military documents or medical records are relevant to your case, please send copies.)

9. TYPE OF REVIEW REQUESTED (X one)

X 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.

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.

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 12. 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.

SPOUSE  WIDOW  WIDOWER  NEXT OF KIN  LEGAL REPRESENTATIVE  OTHER (Specify)

12. 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 2009-00443
	20090721	

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

AFDRB BRIEF					
NAME (Last, First, MI):		SSN:		DOCKET # <b>FD-2009-00443</b>	
				COMPONENT: <b>USAF</b>	
TYPE OF DISCHARGE: <b>GENERAL</b>	DISCHARGE FROM: <b>KUNSAN AB, KOREA</b>		DISCHARGE DATE: <b>01 MAY 07</b>		APPEALS FOR: <b>UPGRADE DISCHARGE, CHANGE REASON FOR DISCHARGE, &amp; R.E. CODE</b>
DOB/ ENLMT AGE: <b>28 JAN 87      18</b>	DISCH AGE: <b>20</b>	FORMER: <b>A1C</b>	HGH: <b>A1C</b>	B. CURRENT DOR: <b>28 OCT 06</b>	C. TIME LOST: <b>NONE</b>
AFSC: <b>3S031 - PERSONNEL APPRENTICE</b>		DEP DT: <b>31 MAR 05</b>		ASVAB SCORES: <b>A:</b>	
D. ART 15 / VAC: <b>NONE</b>	D. LOR, LOA, RIC, LOC: <b>LOR: 3 / LOC: 3</b>		E. SCM / SPCM / GCM: <b>NONE</b>	ADDITIONAL: (IE. CIVIL CONV, CDC) <b>TWO TIME CDC FAILURE</b>	
F. RECORD OF SERVICE (EPR/ OPR, PAST TO PRESENT) : <b>28 JUN 05 - 28 FEB 07 KUNSAN AB 2 (INITIAL) REFERRAL</b>					
G. AWARDS & DECS: <b>NDSM, GWOTSM, KDSM, HSM, AFOSSTR, AFTR</b>					
EAD: <b>28 JUN 05</b>		DAS: <b>23 NOV 05</b>		H. TMS: <b>2 YRS 1 MOS 2 DAS</b>	TAMS: <b>1 YRS 10 MOS 4 DAS</b>
APPLN (DD FORM 293) DTD: <b>21 JUL 09</b>		DT/ INITIALS: <b>10SEP10/JLL</b>		NPA/PA: <b>NPA</b>	BOARD REGION:
RECORDS :	MPR:NO	ARMS: <b>YES</b>	STR: <b>YES</b>	ISSUES: <b>YES</b>	ATTACHMENTS: <b>NO</b>
AUTH FOR DISCHARGE : <b>AFI 36-3208, PARA 5.26.3 (UNSATISFACTORY PERFORMANCE: FAILURE TO PROGRESS IN MILITARY TRAINING)</b>					
ART 15; VAC; SCM; SPMC; GCM; ADDITIONAL:					
<p style="margin-left: 40px;"> <b>LOC:            30 MAY 06 - FAILED TO UPDATE A MILITARY MEMBER MARTIAL STATUS IN MILPDS.</b>  <b>LOR:            19 APR 06 - FAILED TO REPORT TO DUTY ON TIME.</b>  <b>LOC:            19 SEP 06 - FAILED TO UPDATE A MILITARY MEMBER'S DEPENDENT STATUS IN MILPDS.</b>  <b>CDC FAILURE: 05 OCT 06 - FIRST END OF COURSE EXAM FAILURE ON CDC.</b>  <b>CDC FAILURE : 03 JAN 07 - SECOND END OF COURSE EXAM FAILURE ON CDC.</b>  <b>LOC:            08 JAN 07 - DISOBEYED AN NCO'S ORDER.</b>  <b>LOR:            30 JAN 07 - FAILED TO ADHERE TO DRESS &amp; APPEARANCE STANDARDS</b>  <b>LOR:            12 MAR 07 - FAILED TO PAY A JUST DEBT.</b> </p>					
EXAMINER'S NOTE:					
NOTES:					

AFRBA

APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

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Form with fields: a. BRANCH OF SERVICE (X one) ARMY MARINE CORPS NAVY X AIR FORCE COAST GUARD; b. NAME (Last, First, Middle Initial); c. GRADE/RANK AT DISCHARGE E-3; d. SOCIAL SECURITY NUMBER; e. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON NAMED IN ITEM 11 (Forward notification of any change in address.); f. TELEPHONE NUMBER (Include Area Code); g. E-MAIL; h. FAX NUMBER (Include Area Code).

Form with fields: 2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 20070501; 3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 8th Mission Support Sqdn Kunsan AFB ROK; 4. DISCHARGE CHARACTERIZATION RECEIVED (X one) HONORABLE X GENERAL/UNDER HONORABLE CONDITIONS UNDER OTHER THAN HONORABLE CONDITIONS; 5. BOARD ACTION REQUESTED (X one) CHANGE TO HONORABLE CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS CHANGE TO UNCHARACTERIZED (Not applicable for Air Force) CHANGE NARRATIVE REASON FOR SEPARATION: RE code X

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 13. See instructions on Page 3.) I am requesting change of RE code allowing me to re-enlist. I feel my discharge was expedited unfairly. Please advise on how to proceed.

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DEPARTMENT OF THE AIR FORCE  
8TH MISSION SUPPORT SQUADRON (PACAF)  
APO AP 96264

10 Apr 2007

MEMORANDUM FOR A1C

8 MSS

FROM: 8 MSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Unsatisfactory Performance: Failure to Progress in On-the-Job Training (OJT) and Minor Disciplinary Infractions. The authority for this action is AFPD 36-32 *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, under the provisions of paragraphs 5.26.3 and 5.49. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are:

a. Between on or about 1 Mar 06 and on or about 29 Mar 06, you failed to update a military member's martial status in MilPDS. You received a Letter of Counseling, dated 30 Mar 06, for this failure to perform your duties properly;

b. On or about 19 Apr 06, you failed to report to your appointed place of duty at the time prescribed. You received a Letter of Reprimand, dated 19 Apr 06, for this misconduct;

c. Between on or about 14 Sep 06 and on or about 17 Sep 06, you failed to update a military member's dependency status in MilPDS. You received a Letter of Counseling, dated 19 Sep 06, for this failure to perform your duties properly;

d. On 5 Oct 06, you failed to obtain a passing score on your Career Development End of Course Examination;

e. On 3 Jan 07, you failed to obtain a passing score for a second time on your Career Development End of Course Examination;

f. On or about 5 Jan 07, you violated a lawful order from an NCO, where you were only allowed to be on the computer between the hours of 0730-0800 and 1630-1700 to check your e-mail, by surfing the internet and instant messaging friends from your government computer during other than the specified periods. You received a Letter of Counseling, dated 8 Jan 07, for this misconduct;

g. On or about 30 Jan 07, you failed to adhere to dress and appearance standards identified in AFI 36-2903. You received a Letter of Reprimand, dated 30 Jan 07, for this misconduct;

h. On or about 3 Mar 07, you became over 60 days delinquent on payments on your Military Star account resulting in your charge and check cashing privileges being suspended. You

received a Letter of Reprimand, dated 12 Mar 07, for this misconduct;

3. This action could result in your separation with an Under Other Than Honorable Conditions (UOTHC) discharge. I am recommending that you receive an Under Honorable Conditions (General) discharge. The commander exercising Special Court-Martial jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will most likely be denied enlistment in any component of the armed forces. Any special pay, bonus, or education assistance funds may be subject to recoupment.

4. You have the right to:

- a. Consult legal counsel; and
- b. Submit statements in your own behalf.

5. You have been scheduled for a medical examination. You must report to 8th Medical Group, Bldg 405, at 1520 hours on 10 April 2007.

6. Military legal counsel has been obtained to assist you. An appointment has been scheduled for you to consult ADL at Bldg. 301, on 11 April 2007, at 0900 hours. Instead of the appointed counsel, you may choose another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201, *Administration of Military Justice*. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

7. Confer with your counsel and reply, in writing, within 3 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. You may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to submit written statements.

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 8 MSS/CSS and on-line at the Air Force Publishing website ([www.e-publishing.af.mil](http://www.e-publishing.af.mil)).

9. If you received advanced educational assistance, special pay, or bonuses, and have not completed the period of active duty you agreed to serve, those allowances may be subject to recoupment.

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

Attachments:

1. Supporting Documents
  - a. Letter of Counseling, dated 30 Mar 06 (2 pages)
  - b. Letter of Reprimand, dated 19 Apr 06 (2 pages)
  - c. Letter of Counseling, dated 19 Sep 06 (2 page)
  - d. Letter of Counseling, dated 8 Jan 07 (2 page)
  - e. Letter of Reprimand, dated 30 Jan 07 (2 pages)
  - f. Letter of Reprimand, dated 12 Mar 07 (2 pages)
  - g. Test Summary, dated 5 Oct 06 (2 pages)
  - h. Trainee Failure Interview, dated 8 Jan 07 (2 pages)
  - i. Test Summary, dated 3 Jan 07 (2 pages)
  - j. Supervisor Failure Interview, dated 7 Jan 07 (1 page)
  - k. ECI Form 34 (4 pages)
  - l. In-House Training (DPMPS) (1 page)
  - m. Initial Evaluation/Orientation, dated 15 Sep 06 (2 pages)
  - n. AF IMT 623A (20 pages)
2. Receipt of Notification Memorandum





DEPARTMENT OF THE AIR FORCE  
8TH FIGHTER WING (PACAF)  
APO AP 96264-2090

13 APR 2007

MEMORANDUM FOR 8 FW/CC

FROM: 8 FW/JA

SUBJECT: Legal Review of Administrative Discharge – A1C \_\_\_\_\_, 8 MSS

1. I have reviewed the administrative discharge action against A1C (hereinafter Respondent). The file is legally sufficient to process the discharge. For the reasons cited in this review, I concur with the recommendations of the commander.

2. **Background:** On 10 Apr 07, Maj \_\_\_\_\_ 8 MSS/CC, properly initiated administrative discharge action against Respondent under the provisions of AFI 36-3208, paragraphs 5.26.3, Unsatisfactory Performance: Failure to Progress in On-the-Job Training (OJT) and 5.49, Minor Disciplinary Infractions. 8 MSS/CC recommends that Unsatisfactory Performance: Failure to Progress in On-the-Job Training (OJT) be designated as the primary basis for discharge. She further recommends an Under Honorable conditions (General) discharge without an offer of probation and rehabilitation. Respondent received a LOC for failure to update a military member's marital status in MilPDS; a LOR for failure to report to his appointed place of duty at the time prescribed; a LOC for failure to update a military member's dependency status in MilPDS; a LOC for failure to obey a lawful order from a NCO; a LOR for failure to adhere to dress and appearance standards identified in AFI 36-2903; and a LOR for becoming more than 60 days delinquent on payments on his Military Star. Finally, Respondent twice failed his CDC End of Course Examination. Interviews with the unit training manager and supervisory personnel indicated Respondent failed his CDC exam despite being provided appropriate preparation time and tools for obtaining a passing score.

3. **Matters Submitted By Respondent:** Respondent consulted defense counsel and did not submit a statement on his own behalf.

4. **Analysis:**

a. **Basis:**

(1) Airmen are subject to discharge for unsatisfactory performance based on documented failure to meet Air Force standards. Commanders must weigh an Airman's conduct, military deportment, and duty performance against those of other Airmen of like grade, age and length of service. While unsatisfactory performance may be due to one flaw in a member's abilities, discharge is appropriate when it is shown in more than one way. When this is the case, the recommendation for discharge for unsatisfactory performance should cite all the deficiencies

that were not overcome by counseling and rehabilitation. Failure to Progress in On-the-Job Training (OJT) is one basis for discharge under this provision. AFI 36-3208, paragraph 5.26.3.

(2) Minor disciplinary infractions consisting solely of infractions in the current enlistment make an Airman subject to discharge. The infractions under this section may involve failure to comply with non-punitive regulations or minor offenses under the UCMJ. Infractions of this type result, as a rule, in informal (reduced to writing) or formal counselings, letters of reprimand, or Article 15 non-judicial punishments. AFI 36-3208, paragraph 5.49.

(3) AFI 36-3208, Chapter 6, allows for joint processing when an Airman's record supports administrative discharge for more than one reason. When two or more bases for discharge are being jointly processed, the separation authority must decide whether the Airman will be discharged for one or all reasons, if at all. If the separation authority directs separation for two or more reasons, then he must also specify which basis is the primary reason for discharge.

(4) The case file is legally sufficient to support 8 MSS/CC's recommendation to discharge Respondent under either or both of the aforementioned paragraphs. Respondent's documented two CDC failures constitute unsatisfactory performance: failure to progress in on-the-job training (OJT). Respondent's documented three LOCs and three LORs constitute minor disciplinary infractions.

**b. Characterization:** AFI 36-3208, Table 1.3, provides that if the reason for discharge is unsatisfactory performance: failure to progress in on-the-job training (OJT), the types of separations authorized are Honorable or Under Honorable Conditions (General). If the reason is misconduct, which includes minor disciplinary infractions, the types of separations authorized are Honorable, Under Honorable Conditions (General), or Under Other Than Honorable Conditions (UOTHC). The file supports 8 MSS/CC's recommendation that Respondent receive an Under Honorable Conditions (General) discharge. An Under Honorable Conditions (General) discharge is warranted when significant negative aspects of the Airman's conduct or performance of duty outweigh positive aspects of the Airman's military record, in accordance with AFI 36-3208, paragraph 1.18.2.

**c. Probation and Rehabilitation:** The file supports 8 MSS/CC's recommendation that Respondent not receive probation and rehabilitation, given Respondent's unwillingness to progress, below average duty performance, and repeated misconduct.

**5. Errors and Irregularities:** I note no errors or irregularities prejudicial to Respondent's substantive or procedural rights.

**6. Options:** As separation authority in this case, you may:

a. Approve Respondent's discharge with an Under Honorable Conditions (General) discharge, with or without probation and rehabilitation; or

b. Disapprove Respondent's discharge and order his retention in the Air Force, if you determine the evidence does not warrant discharge; or

c. Forward this case to 7 AF/CC with the recommendation that Respondent receive an Honorable Discharge, with or without probation and rehabilitation; or

d. Return this case to the unit for re-initiation, with the recommendation that Respondent receive an Under Other Than Honorable Conditions (UOTHC) discharge.

**7. Recommendation:** Direct Respondent's separation from the United States Air Force with an Under Honorable Conditions (General) discharge, with unsatisfactory performance: failure to progress in on-the-job training (OJT) cited as the primary basis, by signing the proposed letter at Tab 1.

**Attachments:**

1. Proposed Letter
2. Case File