RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2016-01840

 COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

The narrative reason for separation of “Alcohol Rehabilitation Failure” on his DD Form 214, *Certificate of Release or Discharge from Active Duty,* be removed.

APPLICANT CONTENDS THAT:

He voluntarily self-identified to his superiors that he had issues with alcohol and requested treatment. However, he failed the alcohol treatment program at Sheppard Air Force Base, TX. When his commander asked him what he would like to do, he expressed his desire to be let out of the service since his four year commitment was almost up anyways. He had an excellent record and was proud of his service. He was very dismayed about the narrative reason placed on his DD Form 214.

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant initially entered the Regular Air Force on 1 Feb 94.

On 31 Oct 97, the applicant’s commander notified the applicant he was recommending him for an honorable discharge for failure in alcohol abuse treatment. The applicant acknowledged receipt of the notification of discharge, and was advised of his right to consult with legal counsel and submit statements in his own behalf.

On 3 Nov 97, the applicant’s commander recommended him for discharge; on 4 Nov 97, the case was determined to be legally sufficient to support separation; and, on 5 Nov 97, the discharge authority approved the discharge and directed an honorable service characterization.

On 7 Nov 97, the applicant was furnished an honorable discharge, with a narrative reason for separation of “Alcohol Rehabilitation Failure,” and was credited with three years, nine months, and seven days of active service.

The remaining relevant facts pertaining to this application are contained in the memorandum prepared by the Air Force office of primary responsibility, which is attached at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DP2STM-SEP recommends denial indicating there is no evidence of an error or an injustice. In accordance with AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.32, airmen are subject to discharge under this provision if they are in a program of treatment for alcohol abuse and fail to successfully complete the program due to: inability, refusal to participate in the program, or unwillingness to cooperate. Such airmen should be separated if they either lack the potential for continued military service or need long-term treatment and are transferred to a civilian medical facility for treatment. The commander indicated the applicant had failed to complete the program and continued to be dependent on alcohol. The commander concluded the applicant had been unwilling to abide by the standards of conduct in the Air Force and there was no indication further probation and rehabilitative efforts would be productive in correcting the applicant’s alcohol abuse.

The discharge to include his narrative reason for separation was consistent with the procedural and substantive requirements of the discharge instruction and was within the discretion of the discharge authority. The applicant did not provide any evidence of an error or injustice in the discharge processing.

A complete copy of the AFPC/DP2STM-SEP evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 28 Feb 17 for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

FINDINGS AND CONCLUSIONS OF THE BOARD:

Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. After a careful review of the applicant's contentions, documentation submitted in support of the request, and the available evidence of record, we are not convinced the applicant has provided sufficient evidence for us to conclude he is the victim of an error or injustice. We also note the applicant did not file the application within three years after the alleged error or injustice was discovered, or should have been discovered, as required by Title 10, United States Code, Section 1552 and Air Force Instruction 36-2603. Therefore, because we do not find it would be in the interest of justice to recommend granting relief, and the applicant has offered no plausible reason for the delay in filing the application, we cannot conclude it would be in the interest of justice to excuse the failure to timely file the application. Accordingly, we find the application untimely.

THE BOARD DETERMINES THAT:

The application was not timely filed and it would not be in the interest of justice to waive the untimeliness. It is the decision of the Board, therefore, to reject the application as untimely.

The following members of the Board considered AFBCMR Docket Number BC-2016-01840 in Executive Session on 25 Jul 17 under the provisions of AFI 36-2603:

 Panel Chair

 Member

 Member

The following documentary evidence was considered:

 Exhibit A.  DD Form 149, dated 6 May 16.

 Exhibit B.  Applicant's Master Personnel Records.

 Exhibit C.  Memorandum, AFPC/DP2STM-SEP, dated 12 Aug 16.

 Exhibit D.  Letter, SAF/MRBR, dated 28 Feb 17.

Pursuant to paragraph 1 of AFI 36-2603 (Title 32 Code of Federal Regulations, Part 865.1), it is certified that a quorum was present at the Board's review and deliberations, and the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.