

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02783  
COUNSEL: NONE  
HEARING DESIRED: YES

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APPLICANT REQUESTS THAT:

Her under other than honorable conditions (UOTHC) discharge be upgraded to a general (under honorable conditions) discharge.

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APPLICANT CONTENDS THAT:

She was miscounseled regarding the procedures to request a permanent change of station (PCS) assignment. In this respect, she contends the following:

1. She was informed she could be stationed near her future husband upon request. After arriving at Omaha, Nebraska, her request seemed impossible. Her supervisor told her the only way she could be discharged was to get pregnant or go on leave and never return. He also stated her military background would not be on record or held against her.
2. Since her discharge she has held a few good jobs, in fact she worked at one job for 20 years. She has a history of being dependable; she would have never abandoned her country, but she was wrongfully misguided.
3. After retiring from her previous employer, she decided to rejoin the workforce; however, a background check revealed her previous military record of desertion. If she had to do it over again, she would not have listened to the instructions provided by her supervisor. She loved her country and would gladly serve again, if she could.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

On 11 Sep 70, the applicant enlisted in the Regular Air Force.

On 17 Nov 70, the applicant requested a one year active duty service commitment (ADSC) waiver and discharge under the provisions of AFM 39-10, *Separation upon Expiration of Term of Service, For Convenience of Government, Minority, Dependency,*

*and Hardship.* The 1st Aerospace Communications Group commander reviewed the request and recommended the 3902 Air Base Wing (3902 ABW), Consolidated Base Personnel Office (CBPO) approved the request. On 23 Nov 70, the CBPO-ASGN section approved the applicant's request.

On 10 Dec 70, the Air Force Military Personnel Center (AFMPC) reviewed the case and recommended disapproval stating there was insufficient justification to support a waiver of the one year ADSC. On 21 Dec 70, AFMPC notified the CBPO the applicant's request for an ADSC waiver was disapproved.

On or about 31 Dec 70, until on or about 19 Jan 71, the applicant without authority, absented herself from her organization, in violation of Article 86, Uniform Code of Military Justice (UCMJ). For this offense, the applicant received an Article 15, UCMJ, suspended reduction to the grade of airman basic and forfeiture of \$50 pay per month for two months.

On or about 1 Mar 71, until on or about 9 Jun 71, the applicant without authority absented herself from her organization, in violation of Article 86, UCMJ. On 14 Jun 71, a charge for violation of Article 86, UCMJ was preferred against the applicant.

On 15 Jun 71, the applicant requested discharge under the provisions of AFM 39-12, *Administrative Separation of Airman for the Good of the Service.* On 28 Jun 71, the 1st Aerospace Communications Group commander reviewed the applicant's request for discharge and recommended it be accepted and forwarded to the General Courts-Martial (GCM) convening authority with a recommendation to discharge the applicant from the Air Force with an undesirable discharge.

On 1 Jul 71, the Staff Judge Advocate (SJA) reviewed the case file and found it legally sufficient to support the applicant's request for discharge and recommended that she receive an undesirable discharge. In addition, the SJA recommended the case be forward to Headquarters Strategic Air Command (HQ SAC) for final processing

On 16 Jul 71, the HQ SAC/Deputy SJA reviewed the case file and found it legally sufficient to support discharge.

On 27 Jul 71, the HQ SAC/CC directed the applicant be discharged under the provisions of AFM 39-12 and be issued an undesirable discharge.

On 30 Jul 71, the applicant was discharged with service characterized as under other than honorable conditions (UOTHC) in the grade of airman and issued a DD Form 258AF, *Undesirable Discharge Certificate.* She served 7 months and 10 days of total active service.

On 28 Jan 13, the AFBCMR staff offered the applicant an opportunity to provide information pertaining to her activities since leaving the service (Exhibit C).

In response to the request, the applicant states she was proud to be a part of the Air Force. Her training was rewarding and she met a lot of wonderful people from all over the world. She has been married to the same man for 43 years and they have two wonderful children. She continues to work and look for ways to help those in need, as well as ways to learn and grow.

The applicant's complete response, with attachments, is at Exhibit D.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.

2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we find no evidence of an error or injustice that occurred in the discharge processing. Based on the available evidence of record, it appears the discharge was consistent with the substantive requirements of the discharge regulation and within the commander's discretionary authority. The applicant has provided no evidence which would lead us to believe the characterization of the service was contrary to the provisions of the governing regulation, unduly harsh, or disproportionate to the offenses committed. In the interest of justice, we considered upgrading the discharge based on clemency; however, we do not find the evidence presented is sufficient to compel us to recommend granting the relief sought on that basis. Therefore, in the absence of evidence to the contrary, we find no basis upon which to recommend granting the relief sought.

4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered Docket Number BC-2012-02783 in Executive Session on 19 Mar 13, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 25 May 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Record.
- Exhibit C. Letter, SAF/MRBC, dated 28 Jan 13.
- Exhibit D. Letter, Applicant, dated 26 Feb 13.

Panel Chair