

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE A1C	AFSN/SSAN [REDACTED]			
TYPE	PERSONAL APPEARANCE		X RECORD REVIEW			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL		
YES	NO					
	X					
MEMBERS SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
[REDACTED]		X***				
[REDACTED]		X***				
[REDACTED]		X***				
[REDACTED]		X***				
[REDACTED]		X*				
ISSUES A94.06		INDEX NUMBER A67.10		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 3 JUL 03		CASE NUMBER FD2003-0171		APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE		
REMARKS						
Case heard at Washington, D.C.						
Advise applicant of the decision of the Board.						
* Change the Reason and Authority to Secretaril Authority.						
** Change the RE Code to 3K.						
SIGNATURE OF RECORDER [REDACTED]			SIGNATURE OF BOARD PRESIDENT [REDACTED]			
INDORSEMENT			DATE: 3 JUL 03			
TO: SAF/MIBR 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, 3 RD FLOOR ANDREWS AFB, MD 20762-7002			

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

GENERAL: The applicant appeals for an Honorable Discharge, a Change in Reason and Authority for Discharge, and to change the Re-enlistment (RE) Code.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) and elected to exercise this right. However, the case was considered tendered before the personal appearance.

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

FINDINGS: Upgrade of discharge to Honorable is approved. The Reason and Authority for discharge is changed to Secretarial Authority and the RE Code is changed to 3K.

ISSUE: Applicant contends that his discharge was too harsh. The records indicate the applicant was discharged with a General discharge for Misconduct – Minor Disciplinary Infractions, for receiving four Letters of Reprimand for Financial Irresponsibility. After a thorough and complete consideration of the information submitted by the applicant and information contained in the record, the Board concluded there was sufficient mitigation and extenuation to substantiate upgrade of the discharge. Although the member elected a personal appearance, this case was a tender consideration. Tender consideration is the process of reviewing projected personal appearance DRB cases to determine if the Board would grant the requested relief on the record. All Board members voted to grant the relief requested. The majority of Board members voted to change the RE Code. Therefore, this case is considered Tendered.

CONCLUSIONS: The Discharge Review Board concludes that the discharge was not consistent with the procedural and substantive requirements of the discharge regulation.

In view of the foregoing finding, the Board further concludes that the overall quality of the applicant's service is more accurately reflected by an honorable discharge. The Board concluded that the Reason and Authority of the applicant's discharge should be changed to Secretarial Authority and the RE Code should be changed to 3K.

Attachment:

Examiner's Brief

PROCEDURES FOR TENDER CONSIDERATION

“Tender” consideration is the process of reviewing projected personal appearance DRB cases to determine if the Board would grant the requested relief on the record.

The DRB support staff will review all personal appearance cases for tender consideration. If it is determined the requested action can be approved by review of the record, the Chief, DRB will serve as the Action Officer and process the case as a Tender. (Any SAFPC action officer can present the case.)

The case is then presented at a regularly scheduled Board meeting. If the majority votes to grant the relief requested, the Action Officer annotates “Tendered” in the remarks section of the vote card. The write-up for the case will indicate that the Board, on its own initiative, decided to upgrade the case based on the record.

If the majority votes to deny the requested relief, the vote card will be annotated “no tender” and the case will be returned to the personal appearance file drawer. Normal procedures will then apply for scheduling a personal appearance.

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 USAF 24 Apr 91 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge and Change to Reentry Code.

2. **BACKGROUND:**

a. DOB: 12 Dec 66. Enlmt Age: 20 6/12. Disch Age: 24 4/12. Educ: HS DIPL. AFQT: N/A. A-65, E-77, G-57, M-63. PAFSC: 46250 - Aircraft Armament System Specialist. DAS: 31 Jan 89.

b. Prior Sv: (1) Enld as A1C in ANG 25 Jun 87 for 8 yrs. Svd: 1 Yr 7 Months 6 Days, or which AMS is 4 Months 4 Days.

3. **SERVICE UNDER REVIEW:**

a. Enld As A1C 31 Jan 89 for 4 yrs. Svd: 2 Yrs 2 Mos 25 Das, all AMS.

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 11 MAR 91 - Financial irresponsibility.
LOR, 05 FEB 91 - Financial irresponsibility.
LOR, 18 JAN 91 - Financial irresponsibility.
LOR, 11 DEC 90 - Financial irresponsibility.

f. CM: None.

g. Record of SV: 31 Jan 89 - 7May 90 Shaw AFB 3 (Initial)

(Discharged from Shaw AFB)

h. Awards & Decs: AFOUA, NDSA, HSM, SAEMR, AFTR.

i. Stmt of Sv: TMS: (3) Yrs (10) Mos (0) Das
TAMS: (2) Yrs (6) Mos (29) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 1 Apr 03.
(Upgrade Discharge to Honorable and Change Reentry Code)

Issues: I think my discharge was inequitable because the problems that cause the actions from my separation occurred (sic) in a period of time between

16 nov 1990 (sic) and 18 december 1990 (sic) after that time. I took care of the problem immediatly (sic) and my performance on my work was NEVER affected, the recomendation (sic) letters from my reporting officials (sic) Ssgt [REDACTED] Ssgt [REDACTED] and the enlisted performance report were (sic) the recomendation (sic) from the weapons NCOIC was positive for promotion and the unit commander concur with that recomendation (sic). they (sic) never had any complains (sic) on my duty performance but they never gave me the opportunity to demonstrate that this was an isolated situation and will not be repeated, as my records shows after that date of december (sic) 18 1990 they didn't have any other complaint of my financial situation that was the main and only reason for my separation from service. That's the reason why I am asking for the upgrading of my discharge to Honorable and the change of the reenlistment code.

ATCH

None.

16Jun03/cr



DEPARTMENT OF THE AIR FORCE
4507TH CONSOLIDATED AIRCRAFT MAINTENANCE SQUADRON (TAC)
SHAW AIR FORCE BASE SC 29152-5000

REPLY TO
ATTN OF: CC

8 APR 1991

SUBJECT: Notification Letter

TO: A1C [REDACTED], [REDACTED], 4507th Consolidated Aircraft Maintenance Squadron

1. I am recommending your discharge from the United States Air Force for Misconduct - Minor Disciplinary Infractions. The authority for this action is AFR 39-10, paragraph 5-46. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

DATE: 28 January 1991
INCIDENT: Dishonorable Failure to Pay Just Debt
ACTION TAKEN: Letter of Reprimand/UIF

DATE: 18 December 1990
INCIDENT: Uttering Worthless Checks (2)
ACTION TAKEN: Letter of Reprimand

DATE: 24 November 1990
INCIDENT: Uttering Worthless Checks (2)
ACTION TAKEN: Letter of Reprimand/Suspended Check Cashing Privileges

DATE: 16 November 1990
INCIDENT: Uttering Worthless Check
ACTION TAKEN: Letter of Reprimand

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 will be 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.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made arrangements for you to consult SSgt [REDACTED], Area Defense Administrator, at extension 2437, bldg 825a on 7 Apr 91 at 1245. You may consult civilian counsel at your own expense.

4. 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 days after receipt of the notification letter, unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. 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.
6. You have been scheduled for a medical examination. You must report to Shaw Air Force Base Hospital on 9 April 1991 at 0745, for a medical examination.
7. You have been scheduled an appointment with the Separation Unit at CBPO. You must report to the Separation Unit at _____ on _____.
8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of AFR 39-10 is available for your use in the orderly room.
9. Execute the attached acknowledgment and return it to me immediately.


Commander, USAF

2 Atch

1. Supporting Documents, Reasons for Discharge
 - a. LOR, dtd 5 Feb 91 w/atc
 - b. LOR, dtd 11 Mar 91 w/atc
 - d. LOR, dtd 18 Jan 91 w/atc
 - e. LOR, dtd 11 Dec 90 w/atc
2. Airman's Receipt of Notification Letter