

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

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

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

ISSUES A94.06	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 08 Apr 2010	CASE NUMBER FD-2009-00033
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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.

Names and votes will be made available to the applicant at the applicant's request.

* CHANGE RE CODE

[REDACTED]

INDORSEMENT	DATE: 4/8/2010
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, 3RD FLOOR ANDREWS AFB, MD 20762-7001

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2009-00033

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

After a review of the record, the Board unanimously voted to grant the relief of the requested upgrade as discussed below.

FINDING: The Board grants the requested relief.

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.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. Applicant contends he should receive an upgrade in his discharge characterization to honorable and a change in RE Code because he engaged in no misconduct while on active duty and merely failed to progress in training within the vehicle maintenance career field. Applicant notes he spoke with a recruiter from the Pennsylvania National Guard who said the unit would be willing to work with him if he had his discharge "upgraded." The DRB opined that while applicant undisputedly twice failed his CDC end-of-course exams, and failed to progress in on the job training, the file contained no evidence that the respondent engaged in misconduct or in any other way failed to meet Air Force standards of acceptable conduct during his time in service. Further, the DRB is troubled by the squadron's affirmative decision not to have applicant tested for learning or reading deficiencies, despite his ongoing failure to progress in on-the-job training and his trainer's documented concerns about the respondent's apparent inability to apply learned knowledge to real life taskings and to retain knowledge. In sum, the DRB finds that the "significant negative aspects of the airman's conduct or performance of duty" do not outweigh positive aspects of the airman's military record, so as to warrant an under other than honorable (general) discharge in this case.

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. However, in view of the foregoing findings, the Board concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge and the reenlistment code, 3K under the provisions of Title 10, USC 1553.

Attachment:
Examiner's Brief