

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 20px;"></div>				GRADE <div style="background-color: black; width: 100%; height: 20px;"></div>		AFSN/SSAN <div style="background-color: black; width: 100%; height: 20px;"></div>								
TYPE GEN		PERSONAL APPEARANCE			X		RECORD REVIEW							
COUNSEL YES No		NAME OF COUNSEL AND OR ORGANIZATION			ADDRESS AND OR ORGANIZATION OF COUNSEL									
X														
MEMBER SITTING					VOTE OF THE BOARD									
					HON		GEN		UOTHC		OTHER		DENY	
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ISSUES A01.00 A94.03 A94.05					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 13 May 2010					CASE NUMBER FD-2009-00085									
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.														
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INDORSEMENT					DATE: 5/19/2010									
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, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7001									

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

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

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.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

ISSUE:

Issue 1. Applicant contends discharge was inequitable because it was too harsh. The record indicates the applicant was discharged for unsatisfactory performance. The applicant failed his first CDC End of Course Test (EOC) with a score of 60% on 3 April 1996. The applicant was informed of his failing score on 24 April 1996. On or about 30 April 1996 the applicant elected to decline the EOC retest and was made fully aware that he would be discharged from the United States Air Force for failure to progress in upgrade training. The applicant submitted letters and performance feedback from his former co-workers attesting to his dependability and "can do" attitude. No inequity or impropriety in his discharge was found in the course of the records review. The Board concluded the character of the discharge was appropriate.

Issue 2. The applicant cited his desire to receive G.I. Bill benefits as a justification for upgrade. The Board was sympathetic of the loss of these benefits, but this is not a matter of equity or propriety that would warrant an upgrade.

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