

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> <div style="background-color: black; width: 100%; height: 20px;"></div>		<b>GRADE</b> <div style="background-color: black; width: 100%; height: 20px;"></div>	<b>AFSN/SSAN</b> <div style="background-color: black; width: 100%; height: 20px;"></div>																																			
<b>TYPE</b> <div style="background-color: black; width: 100%; height: 20px;"></div>	<b>GEN</b> <div style="background-color: black; width: 100%; height: 20px;"></div>	<b>PERSONAL APPEARANCE</b> <div style="background-color: black; width: 100%; height: 20px;"></div>	<b>X</b> <b>RECORD REVIEW</b> <div style="background-color: black; width: 100%; height: 20px;"></div>																																			
<b>NAME OF COUNSEL AND OR ORGANIZATION</b> <div style="background-color: black; width: 100%; height: 20px;"></div>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b> <div style="background-color: black; width: 100%; height: 20px;"></div>																																				
<b>MEMBER SITTING</b> <div style="background-color: black; width: 100%; height: 100px;"></div>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="text-align: center;">VOTE OF THE BOARD</th> </tr> <tr> <th style="width: 15%;">HON</th> <th style="width: 15%;">GEN</th> <th style="width: 15%;">UOTHC</th> <th style="width: 15%;">OTHER</th> <th style="width: 15%;">DENY</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X*+</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X*+</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X*+</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X*+</td> </tr> </table>		VOTE OF THE BOARD					HON	GEN	UOTHC	OTHER	DENY					X*+	X									X*+					X*+					X*+
VOTE OF THE BOARD																																						
HON	GEN	UOTHC	OTHER	DENY																																		
				X*+																																		
X																																						
				X*+																																		
				X*+																																		
				X*+																																		
<b>ISSUES</b> <b>A93.11</b> <b>A94.05</b>		<b>INDEX NUMBER</b> <b>A47.00</b>																																				
<b>HEARING DATE</b> <b>13 May 2010</b>		<b>CASE NUMBER</b> <b>FD-2009-00121</b>																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> <tr> <td style="width: 30px; text-align: center;">1</td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;">2</td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;">3</td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">4</td> <td>BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td>COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td>TAPE RECORDING OF PERSONAL APPEARANCE HEARING</td> </tr> </table>				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																			
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																																					
<p>Case heard in Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p> <p>*Reason and Authority +Reenlistment Code</p> <div style="background-color: black; width: 100%; height: 50px;"></div>																																						
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>TO:</b>  SAF/MRBR  550 C STREET WEST, SUITE 40  RANDOLPH AFB, TX 78150-4742 </div> <div style="width: 45%;"> <b>FROM:</b>  SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL  AIR FORCE DISCHARGE REVIEW BOARD  1535 COMMAND DR, 3RD FLOOR  ANDREWS AFB, MD 20762-7001 </div> </div>																																						

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b> <b>FD-2009-00121</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.</p> <p>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.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDING:</b> Upgrade of the discharge, change of reason and authority for discharge and change of reenlistment code are denied.</p> <p>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.</p> <p><b>ISSUE:</b></p> <p>1. The applicant contends discharge was inequitable because it was too harsh. Due to the missing discharge package to explain the exact circumstances of the discharge, the Board was left to conclude that the misconduct was a significant departure from conduct expected from an NCO. The record indicates the applicant was discharged for Misconduct—Failure to meet Financial obligations. The applicant improperly used his government credit card and then failed to pay his delinquent government credit balance to Bank of America. Again, based on the paucity of the information, the characterization of the discharge received by the applicant was found to be appropriate.</p> <p>The Board highly recommends that if the applicant can provide additional documented information to substantiate his issue, he should consider exercising his right to make a personal appearance before the Board. If the applicant chooses to exercise his right, he should be prepared to provide the DRB with factual evidence of the inequity/impropriety and any exemplary post-service accomplishments as well as any contributions to the community.</p> <p><b>CONCLUSION:</b> 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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	