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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2018-00613 |
| The applicant was discharged on 23 Jan 2008 in accordance with AFI 36-3209 with a General discharge for Unsatisfactory Participation. The applicant appealed for an upgrade of his discharge characterization to Honorable and a change to the discharge narrative reason. The board was conducted on 6 Feb 2020.  The applicant appeared and testified before the Discharge Review Board (DRB), without counsel, via video teleconference on 6 Feb 2020. No witnesses were present and testified on the applicant’s behalf. The following additional exhibits were submitted at the hearing: DD Form 214s dated, 2 Jul 2004; 25 Feb 2005; and 26 Feb 2008; Volunteer Statement and Waiver of Mandatory Thirty-Day Notification for Mobilization, dated 24 Nov 2006; and DD Form 4, Annex A – Enlistment/Reenlistment Agreement – Army National Guard, dated 30 Oct 2006.  The attached examiner’s brief (provided to applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the applicant’s military service.    The DRB voted unanimously to *approve* the request to upgrade his discharge characterization to Honorable and to change the discharge narrative reason to “Secretarial Authority.” Although not requested in his application, as is standard practice when upgrading a discharge to Honorable, the DRB also voted unanimously to *approve* changing the reenlistment eligibility code to 2C.  DISCUSSION: The DRB, under its responsibility to examine the propriety and equity of an applicant’s discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the board can also change the applicant’s reenlistment eligibility code. In reviewing discharges, the board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the applicant. The board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.  The applicant was discharged for nonparticipation in his Air Force Reserve unit. The applicant contended the discharge was improper because he was released from the Air Force Reserves prior to reentering the Army, and that he deployed to Iraq from Dec 2006 to Feb 2008. The applicant received Reserve Order  A-122, dated 13 Feb 2008 in lieu of a DD 214, that reflects he was discharged from the Air Force effective 23 Jan 2008 with a General discharge for Unsatisfactory Performance, under the provisions of AFI 36-3209. The applicant submitted a DD Form 4, Annex A, that reflects he reentered the Army on 30 Oct 2006. He also submitted a DD 214 that reflects he was deployed to Iraq 30 Jan 2007 to 8 Jan 2008, and was honorably discharged from the Army on 26 Feb 2008. Based on the evidence submitted by the applicant, the DRB determined, in order for the applicant to be allowed reentry into the Army, would have required his release from the Air Force. Furthermore, the applicant provided solid evidence that proved he was serving in Iraq during the timeframe and therefore, could not have been an active member in the Air Force Reserves. Based on the documents submitted by the applicant the DRB determined the General discharge he received from the Air Force was an administrative error.  CONCLUSION: The board found sufficient evidence existed the discharge was improper. Therefore, the board determined the overall characterization of the applicant’s service was more accurately reflected by an Honorable and the narrative reason was more accurately described as “Secretarial Authority.” Additionally, the reenlistment eligibility code was changed to “2C”.  The DRB results were approved by the board president on 13 May 2020. If desired, the applicant can request a list of the board members and their votes by writing to:  Air Force Review Boards Agency  Attn: Discharge Review Board  3351 Celmers Lane  Joint Base Andrews, NAF Washington, MD 20762-6602  Attachment: Examiner's Brief (Applicant Only) | |