

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD02-0432

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 to exercise this right.

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

FINDINGS: Upgrade of discharge is denied.

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

ISSUE: Applicant does not contest her discharge. She merely states that she would like to use the GI Bill. The record indicates the applicant received an Article 15 for wrongfully failing to refrain from using her government travel charge card and a Vacation action under the UCMJ for writing a bad check. She also received a Letter of Reprimand, a Record of Individual Counseling, and a Verbal Counseling for financial irresponsibility. The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The DRB was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety that would warrant an upgrade. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate. The Board found no evidence of any inequity or impropriety on which to base a decision to upgrade the discharge.

CONCLUSIONS: 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 that 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, thus the applicant's discharge should not be changed.

Attachment:

Examiner's Brief

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

[REDACTED]

(Former A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 15 Oct 01 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 25 Feb 76. Enlmt Age: 23 2/12. Disch Age: 25 7/12. Educ: HS DIPL. AFQT: N/A. A-93, E-74, G-74, M-79. PAFSC: 2A753 - Aircraft Structural Maintenance Specialist. DAS: 12 Nov 99.

b. Prior Sv: (1) AFRes 30 Apr 99 - 1 Jun 99 (1 month 2 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 2 Jun 99 for 6 yrs. Svd: 2 Yrs 4 Mo 14 Das, all AMS.

b. Grade Status: A1C - 26 Jun 01 (Art 15, Vacation, 28 Sep 01)
SrA - 19 May 01
A1C - (EPR Indicates): 2 Jun 99 - 16 Oct 00

c. Time Lost: None.

d. Art 15's: (1) 28 Sep 01, Vacation, Eglin AFB, FL - Article 134. You did, on or about 25 May 01, make and utter to ----- a certain check, in words and figures, to wit: check #1047, in the amount \$852.00 in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in the ----- Bank for payment of such check in full upon its presentment for payment. Reduction to A1C. (No appeal) (No mitigation)

(2) 26 Jun 01, Eglin AFB, FL - Article 92. You, who knew of your duties, on divers occasions, between on or about 8 Mar 01 and on or about 30 May 01, were derelict in the performance of those duties in that you willfully failed to refrain from using your government travel charge card to make purchases and cash withdrawals for other than official government travel expenses, as it was your duty to do. Article 134. You, being indebted to ----- Bank in the sum of \$825.21 for purchases and withdrawals made with your government travel card, which amount became payable on or about 4 Apr 01, did, from on or about 4 Apr 01 and on or about 28 May 01, dishonorably fail to pay said debt. Suspended reduction to A1C, and 45 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 21 MAY 01 - Financial Irresponsibility.
RIC, 18 APR 01 - Financial Irresponsibility.
VBC, 16 APR 01 - Financial Irresponsibility.

f. CM: None.

g. Record of SV: 2 Jun 99 - 16 Oct 00 Eglin AFB 5 (CRO)

(Discharged from Eglin AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (2) Yrs (5) Mos (16) Das
TAMS: (2) Yrs (4) Mos (14) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 1 Oct 02.
(Change Discharge to Honorable)

Issue 1: Prior to my discharge, I was an excellent airman (sic). I was selected above my peers as SrA Below-the-Zone, as well as Maint. Amn of the Month in my shop. I received many letters of appreciation and was active in my squadron, participating in the booster club, CFC, and numerous other activities.

I am now going back to school with the intentions of attaining an A.A. degree, then transferring to a State University. I am hoping to get my M.G.I.B. to assist in this. Thank you for your time.

ATCH

1. Character Reference.
2. College Enrollment Verification.

17JAN03/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 33D FIGHTER WING (ACC)
EGLIN AIR FORCE BASE, FLORIDA

50CT 01

MEMORANDUM FOR AIC [REDACTED] 33 MXS (ACC)

FROM: 33 MXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct, specifically minor disciplinary infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, chapter 5, section H, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable, general, or under other than honorable conditions. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. On or about 10 Apr 01, it was noted that you had an overdue DPP account of \$135.00, for which you received a Verbal Counseling on 16 Apr 01.

b. On or about 16 Apr 01, you provided a worthless check to your landlord, [REDACTED] to pay your rent. For this incident you received a Record of Individual Counseling, dated 18 Apr 01.

c. On or about 14 May 01, you provided a worthless check to your landlord, [REDACTED] to pay your rent. For this incident you received a Letter of Reprimand, dated 21 May 01.

d. Between on or about 8 Mar 01 and 30 May 01, you used your government travel charge card to make purchases and cash withdrawals for other than official government travel expenses. Additionally, you were indebted to Nations Bank in the amount of \$825.21 for purchases and withdrawals made with your government travel card. This debt became due and payable on or about 4 April 01. You dishonorably failed to pay this debt until 28 May 01. For these incidents, you received an Article 15, dated 26 Jun 01.

e. On or about 25 May 01, you provided a worthless check in the amount of \$852.00 to the Bank of America in payment of a debt. For this misconduct you received a Vacation of Suspended Nonjudicial Punishment Proceeding, dated 28 Sep 01.

3. 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. Special pay, bonuses, or education assistance funds may be subject to recoupment.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult [REDACTED], at building 451, ext. 882-4185, on 9 Oct 01, at 1300 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me within 3 workdays from today unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.
7. You will complete a medical examination with the 96th Medical Group, physical exams section, on 10 Oct 01, at 0715 hours.
8. You have been scheduled for an appointment with the 96th Mission Support Squadron, separations section, on 10 Oct 01, at 1400 hours.
9. **Immediately after completion of your 96th Mission Support Squadron separations section briefing, report to the 96th Traffic Management Office with your completed AFDTC Form 4134 or LGTT Office Form B133. If you have a TMO pickup, it must be before 19 Oct 01.**
10. You are required to receive a briefing from the Family Support Center prior to your separation. You have been scheduled to receive your Transition Assistance Management Program (TAMP) briefing on 9 Oct 01 at 0830 hours.
11. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in your unit orderly room.



Attachments:

1. Supporting Documents
 - 1a. Verbal Counseling, dated 16 Apr 01
 - 1b. LOR, dated 21 May 01
 - 1c. Art 15, dated 26 Jun 01
 - 1d. Vacation Suspended Nonjudicial Punishment, dated 28 Sep 01
2. Airman's Acknowledgment