

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN
[REDACTED]		A1C	[REDACTED]

TYPE	PERSONAL APPEARANCE	<b>X</b> RECORD REVIEW
COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES		
NO		
	X	

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]	X**				
[REDACTED]	X**				
[REDACTED]	X**				
[REDACTED]	X**				
[REDACTED]	X**				

ISSUES A93.01, A93.12, A94.05	INDEX NUMBER A67.10	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		

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

**REMARKS**  
 Case heard at Washington, D.C.  
  
**\*\* Change the narrative reason for separation to Secretarial Authority.**  
  
 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.

SIGNATURE OF RECORDER	SIGNATURE OF BOARD PRESIDENT
[REDACTED]	[REDACTED]

INDORSEMENT	DATE: 16 JUL 03
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TO: SAF/MIBR 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, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00099

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable, change of reason for discharge, and change of reenlistment eligibility code.

The applicant was offered a personal appearance before the Discharge Review Board but declined to exercise this right.

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

**FINDINGS:** The discharge is upgraded to Honorable. The Reason for discharge is changed to Secretarial Authority. Change of reenlistment code is denied.

The Board finds that neither the evidence of record or that provided by applicant substantiates an impropriety that would justify upgrade of the discharge. However, based on the record, the Board finds that the applicant's character of discharge is inequitable.

**Issue.** The applicant received a general discharge for minor disciplinary infractions after he received three Letters of Reprimand and an Article 15 for financial irresponsibility. The applicant maintains that his discharge was too harsh because he had asked for assistance with his financial problems and did not receive it. After a thorough and complete consideration of the information submitted by the applicant and contained in the records, the Board concluded there was sufficient mitigation to substantiate upgrade of the discharge. There was no evidence in the record to suggest that the applicant received financial counseling nor did it indicate that the leadership was putting forth an effort to rehabilitate the member. The Board did not agree to change the applicant's reenlistment code.

**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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge and change of reason for discharge to Secretarial Authority, under the provisions of Title 10, USC 1553.

Attachment:  
Examiner's Brief

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

[REDACTED]  
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 28 Dec 00 UP AFI 36-3208, para 5.49 (Minor Disciplinary Infractions). Appeals for Honorable Discharge, to Change the RE Code, Reason and Authority for Disch.

2. **BACKGROUND:**

a. DOB: 10 Sep 80. Enlmt Age: 18 2/12. Disch Age: 20 3/12. Educ: HS DIPL. AFQT: N/A. A-70, E-70, G-53, M-68. PAFSC: 2A531B - Aerospace Maintenance Apprentice. DAS: 30 Sep 99.

b. Prior Sv: (1) AFRes 17 Nov 98 - 9 Feb 99 (2 months 24 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 10 Feb 99 for 4 yrs. Svd: 1 Yrs 10 Mo 19 Das, all AMS.

b. Grade Status: A1C - 10 Jun 00  
AMN - (EPR Indicates): 10 Feb 99-9 Oct 00

c. Time Lost: None.

d. Art 15's: (1) 15 Dec 00, Pope AFB, NC - Article 134. You, being indebted to AAA Company, Inc. in the sum of \$105.18 for previous debt, of which amount \$52.59 became due and payable on or about 15 Oct 00, and an additional \$52.59 became due and payable on 15 Nov 00, for a total \$105.18, did, at or near Fayetteville, NC, between on or about 16 Oct 00 and on or about 11 Dec 00, dishonorably fail to pay said debt. Suspended reduction to Airman, and 15 days extra duty. (No appeal) (No mitigation)

e. Additional: LOC, 02 OCT 00 - Financial irresponsibility.  
LOR, 10 JUL 00 - Financial irresponsibility.  
LOR, 01 JUN 00 - Financial irresponsibility.  
LOR, 01 JUN 00 - Financial irresponsibility, and not having government credit card available for use prior to going TDY.

f. CM: None.

g. Record of SV: 10 Feb 99 - 9 Oct 00 Pope AFB 3 (Initial)

(Discharged from Pope AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (2) Yrs (1) Mos (12) Das  
TAMS: (1) Yrs (10) Mos (19) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 5 Mar 03.  
(Change Discharge to Honorable, Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. DD Form 214.
2. Character References.
3. Applicant's Issues with Attachments.

10APR03



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 43D AIRLIFT WING (AMC)  
POPE AIR FORCE BASE NORTH CAROLINA

FD 2003-00099

20 Dec 2000

MEMORANDUM FOR A1C [REDACTED] 41 AS

FROM: 41 AS/CC  
3514 Surveyor Street  
Pope AFB, NC 28308

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is ACPD 36-32 and AFI 36-3208, paragraph 5.49. You understand that approval of this recommendation for your discharge could result in you receiving an under other than honorable conditions discharge, if the convening authority determines such characterization is warranted and directs initiation of a discharge board. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. Between on or about 16 Oct 00 and on or about 11 Dec 00, you, being indebted to AAA Company, Inc. in the sum of \$105.18, dishonorably failed to pay said debt as documented by AF Form 3070, Record of Nonjudicial Punishment Proceedings, dated 15 Dec 00.

b. On or about 2 Oct 00, it was brought to the attention of your section commander that you were 90 days delinquent in the amount of \$24.00, and 30 days delinquent in the amount of \$342.57, to your Bank of America Government Travel Card as documented by a Letter of Counseling (LOC) dated 2 Oct 00.

c. On or about 28 Jun 00, you dishonorably failed to pay your AAFES exchange (DPP) account in the amount of \$64.00 as documented by a Letter of Reprimand (LOR), dated 10 Jul 00.

d. On or about 22 May 00, you dishonorably failed to pay your debt to AAA Company, Inc. in the amount of \$152.77 as documented by a LOR, dated 1 Jun 00.

e. On or about 4 May 00, you dishonorably failed to pay your government travel card. Furthermore this led to a violation of a lawful general order by not having your government travel card available for use prior to you going TDY to Little Rock, Arkansas as documented by a LOR, dated 1 Jun 00.

20 Dec 2000

FD2003-00099

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The 43d Airlift Wing Commander, who exercises Special Court Martial (SPCM) jurisdiction or a higher authority, will decide whether you will be discharged or retained in the Air Force. If you are discharged, you will be ineligible for reenlistment in the Air Force.

4. You have a right to consult counsel. Military legal counsel has been obtained to assist you. **I have made an appointment for you to consult Capt [REDACTED] at the Langley AFB VA Area Defense Counsel's office on 22 Dec 00 at 0900 hours.** Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

5. You have been scheduled for a physical examination. **Report to Physical Exams Room 10 in the Flight Medicine Clinic on 21 Dec 00 at 0800 hours. In addition, report to Physical Exams/Lab ASAP for HIV screening.**

6. You have the right to submit a statement in your own behalf. Any statements you want the separation authority to consider must reach me by 1600 21 Dec 00 at 1600 hours unless you request and receive an extension for good cause shown. I will send them to the separation authority.

7. If you fail to consult counsel or to **submit statements in your own behalf in three days**, your failure will constitute a waiver of your right to do so.

8. 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 at the orderly room.

[REDACTED] Major, USAF  
Commander

Attachments:

1. AF Form 3070, dated 15 Dec 00
2. LOC, dated 2 Oct 00
3. LOR, dated 10 Jul 00
4. LOR, dated 1 Jun 00
5. LOR, dated 1 Jun 00