

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 1.2em;"></div>		GRADE <div style="background-color: black; width: 100%; height: 1.2em;"></div>	AFSN/SSAN <div style="background-color: black; width: 100%; height: 1.2em;"></div>						
TYPE: GEN	PERSONAL APPEARANCE	X	RECORD REVIEW						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">COUNSEL</td> <td style="width: 90%;">NAME OF COUNSEL AND OR ORGANIZATION</td> </tr> <tr> <td>YES</td> <td>No</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table>		COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	YES	No		X	ADDRESS AND OR ORGANIZATION OF COUNSEL	
COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION								
YES	No								
	X								
MEMBER SITTING		VOTE OF THE BOARD							
		HON	GEN	UOTHC	OTHER	DENY			
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ISSUES <b>A92.35</b> <b>A01.43</b>		INDEX NUMBER <b>A67.10</b>		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					
HEARING DATE <b>19 Nov 2003</b>		CASE NUMBER <b>FD-2003-00305</b>		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE					
				TAPE RECORDING OF PERSONAL APPEARANCE					
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE									
<p>Case heard at 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> <div style="background-color: black; width: 100%; height: 100px; margin-top: 20px;"></div>									
SIGNATURE OF R <div style="background-color: black; width: 100%; height: 100%;"></div>									
ENDORSEMENT <span style="float: right;">DATE: 11/19/2003</span>									
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 20762-7002					

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00305

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

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:** Upgrade of discharge is denied.

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.

Issues. Applicant was discharged for minor disciplinary infractions. He had two Articles 15; his misconduct included misuse of his government travel card, and failing to pay the resultant debt. Member had three Enlisted Performance Reports, the last of which was rated an overall referral "3." It noted member's immaturity and bad judgment resulting in unacceptable off-duty behavior, imprudent financial decisions leading to personal and professional problems, and flagrant violations of directions and guidance. Member was also non-selected for reenlistment, again based on lack of maturity, less than acceptable adherence to Air Force standards, poor judgment and financial irresponsibility, and not possessing the traits desired of airmen or future noncommissioned officers. Member was age 21 when his misconduct occurred, the same age as other airmen who honorably complete their service without misconduct. There was no evidence he was immature, or didn't know right from wrong. The Board determined member was responsible for his actions and was held accountable for them.

Because member's discharge file was unavailable to the Board for review, the Board was unable to ascertain if there was other misconduct on member's part, or additional bases for the discharge. The Board also could not determine if member consulted counsel or submitted statements on his own behalf at the time of the discharge. When requested to provide any pertinent information he may have about the discharge file or his record of service, applicant failed to respond to the request. Lacking evidence from the applicant to the contrary, the Board relies on the presumption of regularity and finds the discharge proper and without basis for an upgrade. No inequity or impropriety could be found in this discharge in the course of the records review.

If he can provide additional documented information to substantiate his issues, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

**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

(Former AB) (HGH SRA)

MISSING MEDICAL RECORDS AND DISCHARGE  
DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 6 May 95 UP AFI 36-3208 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 9 Jul 73. Enlmt Age: 17 3/12. Disch Age: 21 9/12. Educ: HS DIPL. AFQT: N/A. A-74, E-59, G-70, M-26. PAFSC: 2A752 - Nondestructive Inspection Journeyman. DAS: 5 Mar 94.

b. Prior Sv: (1) AFRes 30 Oct 90 - 2 Sep 91 (10 months 4 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Sep 91 for 4 yrs. Svd: 3 Yrs 8 Mo 4 Das, all AMS.

b. Grade Status: AB - 13 Apr 95 (Article 15, 13 Apr 95)  
SrA - 3 Sep 94  
AlC - (EPR Indicates): 3 Sep 91-2 May 93  
Amn - Unknown

c. Time Lost: None.

d. Art 15's: (1) 13 Apr 95, Keflavik NAS, Iceland - Article 134. You, being indebted to American Express in the sum of \$5,563.40 for cash money and things of value, which amount became due and payable on or about 19 Sep 94, did, from 19 Sep 94 to 29 Mar 95, dishonorably fail to pay said debt. Reduction to AB. Forfeiture of \$400.00 pay per months for two months, 45 days restriction, and 45 days extra duty. (No appeal) (No mitigation)

(2) 19 Dec 94, Keflavik NAS, Iceland - Article 92. You, who knew of your duties within the territorial limits of the Republic of Iceland, from on or about 2 Jan 94 to on or about 24 Aug 94, were derelict in the performance of those duties in that you willfully failed to limit your use of your American Express government travel card to only official government TDY travel-related expenses as it was your duty to do so, by using said card to withdraw currency for personal expenses. Fourteen days extra duty and a reprimand. (No appeal) (No mitigation)

e. Additional: Unknown.

f. CM: None.

g. Record of SV: 03 Sep 91 - 02 May 93 Edwards AFB 4 (Initial)  
03 May 93 - 16 Dec 93 Edwards AFB 4 (CRO)  
17 Dec 93 - 16 Dec 94 Keflavik NAS 3 (Annual) **REF**

(Discharged from Keflavik NAS)

h. Awards & Decs: AFTR, NDSM, AFGCM.

i. Stmt of Sv: TMS: (4) Yrs (6) Mos (7) Das  
TAMS: (3) Yrs (8) Mos (4) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 24 Jun 03.  
(Change Discharge to Honorable)

Issue 1: I believe my discharge was inequitable because it was based on a (sic) incident where I exercised poor judgement, but throughout my military service of 44 months it was the only incident. I feel that my discharge General, Under Honorable Conditions should be upgraded to Honorable. I appreciate your time and consideration in this matter.

**ATCH**

None.

27AUG03/ia