

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> ████████████████████	<b>GRADE</b>  <b>SRA</b>	<b>AFSN/SSAN</b> ████████████████
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<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>	
<b>YES</b>	<b>No</b>	<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	
	<b>X</b>		

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
					X
					X
					X
					X
					X

<b>ISSUES</b> A01.13 A93.33	<b>INDEX NUMBER</b> A67.09	<b>EXHIBITS SUBMITTED TO THE BOARD</b>
		<b>1</b> ORDER APPOINTING THE BOARD
		<b>2</b> APPLICATION FOR REVIEW OF DISCHARGE
		<b>3</b> LETTER OF NOTIFICATION
		<b>4</b> BRIEF OF PERSONNEL FILE
		COUNSEL'S RELEASE TO THE BOARD
		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE
		TAPE RECORDING OF PERSONAL APPEARANCE

<b>HEARING DATE</b> 18 May 2004	<b>CASE NUMBER</b> FD-2004-00074	
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard at Washington, D.C.

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.

[Handwritten Signature]

<b>INDORSEMENT</b>	<b>DATE: 5/20/2004</b>
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> 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

**FD-2004-00074**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right at this time.

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

**FINDINGS:** Upgrade of Discharge, change of reason and authority for discharge, and change of reenlistment code are denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

**ISSUE:** The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated applicant received a general characterization for minor disciplinary infractions. During his 3 years and 2 months on active duty, he received four letters of reprimand, one letter of admonition, five letters or records of counseling, and numerous verbal counselings. A record review revealed the possibility of two issues.

Issue 1. It appears from the record that there may have been a personality conflict between the applicant and his immediate supervisor. The record indicated that six of the first seven disciplinary actions were taken against the respondent by his immediate supervisor. Without more evidence, it was not possible to determine whether the disciplinary actions were improperly motivated or if it was the appropriate response to a subordinate's repeated misconduct.

Issue 2. Applicant does intimate in his letter to the DRB that the quality of his service outweighed the negative aspects of his service caused by his misconduct and that, therefore, the record does not support this characterization. The DRB found no merit to this contention.

Issue 3. In his letter to the DRB, the applicant cited his desire to receive the G.I. Bill benefits as justification for upgrade. The DRB noted that when the applicant applied for these benefits, he signed a statement (DD Form 2366) that he understood he must receive an honorable discharge to receive future educational entitlements. 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 which would warrant an upgrade.

**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 SRA) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr MacDill AFB, FL on 22 Dec 99 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 28 Jul 76. Enlmt Age: 19 10/12. Disch Age: 23 4/12. Educ: HS DIPL. AFQT: N/A. A-40, E-72, G-78, M-49. PAFSC: 6F051 - Financial Management Journeyman. DAS: 14 Mar 97.

b. Prior Sv: (1) AFRes 24 Jun 96 - 22 Oct 96 (4 months) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as A1C 23 Oct 96 for 6 yrs. Svd: 3 Yrs 2 Mo 0 Das, all AMS.

b. Grade Status: SrA - 15 Jun 99

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 29 NOV 99 - Financial irresponsibility.  
LOR, 01 SEP 99 - Financial irresponsibility.  
DD FM 1408, 17 MAY 99 - Parking ticket.  
RIC, 09 FEB 99 - Financial irresponsibility.  
LOC, 29 SEP 98 - Unsatisfactory performance on CDC test.  
LOR, 23 SEP 98 - Unsatisfactory performance.  
RIC, 21 JUL 98 - Unsatisfactory performance.  
RIC, 27 MAY 98 - Missed appointment.  
LOC, 08 APR 98 - Unsatisfactory performance.  
LOR, 14 FEB 98 - Late for duty.  
LOA, 04 FEB 98 - Late for duty multiple times.

f. CM: None.

g. Record of SV: 23 Oct 96 - 15 Apr 98 MacDill AFB 3 (HAF Dir)REF  
16 Apr 98 - 14 Nov 98 MacDill AFB 3 (CRO)REF  
15 Nov 98 - 14 Jun 99 MacDill AFB 3 (Cmdr Dir)

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

i. Stmt of Sv: TMS: (3) Yrs (5) Mos (29) Das  
TAMS: (3) Yrs (2) Mos (0) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 5 Feb 04.  
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. DD Form 214.
3. AF Form 100.

23MAR04/ia

SRA [REDACTED]  
[REDACTED]  
Silver Spring, MD 20910  
[REDACTED]

RECEIVED  
FEB 19 2004

January 29, 2004

Air Force Military Personnel Center  
Attention: DPMDOA1  
Randolph AFB, TX 78150-6001

TO WHOM IT MAY CONCERN:

I am writing this letter in an effort to upgrade my military discharge status from "General Under Honorable Conditions" to "Honorable" status.

I joined the U. S. Air Force in 1996 as an A1C approximately six months following my graduation from St. John's College Military High School with four years of JROTC. I scored very high on the ASVAB, but was placed in a job that was seventh and lowest on my scores. At the time I joined the Air Force, I did not have a driver's license and consequently could not be placed in jobs requiring one.

After almost four years of service, I was released from the U. S. Air Force in December, 1999 with a "General Under Honorable Conditions" discharge. The reasons were not disciplinary, but categorized under misconduct due to delinquent bills that I had accumulated and to my poor performance at a desk job that I was not very good at. Aside from these discrepancies, my record of service was exemplary. All debts that I had accrued have been paid.

I am presently enrolled in college and need the help of funds available under the GI Bill which I contributed to fully while I was in the Air Force. Without this help, it will be very difficult for me to finish college. I hope that one day I can serve the military which I love and respect, and would gladly return if I could do a job that would be higher on the list of jobs I qualify for.

I hope to hear from you soon regarding my discharge upgrade and the availability of funds under the G I Bill. If you have any questions, please contact me at [REDACTED]. Thank you in advance for your consideration.

Sincerely,

[REDACTED]

Enclosures (2): DD Form 293 and DD Form 214



FD 2004-00074

**DEPARTMENT OF THE AIR FORCE**  
**6TH AIR REFUELING WING (AMC)**  
**MACDILL AIR FORCE BASE, FLORIDA**

14 Dec 99

MEMORANDUM FOR SENIOR AIRMAN [REDACTED]

FROM: 6 CPTS/CC

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 AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).
  
2. My reasons for this action are as follows:
  - a. You dishonorably failed to pay your Deferred Payment Program (DPP) debt with the Army Air Force Exchange Service (AAFES) on 22 Oct 99, in violation of Article 134, Uniform Code of Military Justice (UCMJ). This was your third such failure this year. This incident was recorded on a Letter of Reprimand dated 29 Nov 99.
  
  - b. You dishonorably failed to pay your Deferred Payment Program (DPP) debt with the Army Air Force Exchange Service (AAFES) on 18 Aug 99, as recorded on a Letter of Reprimand dated 1 Sep 99. You failed to make payment on your DPP debt even though you received a loan from the MacDill Federal Credit Union specifically to assist you in paying off your bills. In fact, you dishonorably cashed a check that the Credit Union had made out to AAFES for your DPP debt and used the funds for your personal use.
  
  - c. You violated parking regulations at MacDill Air Force Base, Florida, on 17 May 99 by wrongfully parking your vehicle in an unassigned space, resulting in your receipt of an Armed Forces Traffic Ticket, DD Form 1408, dated 17 May 99.
  
  - d. You received a written counseling on 9 Feb 99 for financial irresponsibility based on your failure to make timely payments on your DPP account. This counseling was recorded on a Record of Individual Counseling, AF Form 174, dated 9 Feb 99.
  
  - e. You received a written counseling on 29 Sep 98 for your lack of effort in studying for your Career Development Course (CDC), as recorded on a Letter of Counseling dated 29 Sep 98.
  
  - f. You were reprimanded on 23 Sep 98 for unsatisfactory duty performance. Specifically, you refused to meet acceptable performance levels despite prior verbal and written counseling's, and you failed to demonstrate any ability to perform duties independent of supervision or to do

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your share of the work, placing an additional burden on others in the unit. This incident was recorded on a Letter of Reprimand, dated 23 Sep 98.

g. You received a written counseling on 21 Jul 98 for your lack of productivity in processing travel vouchers, as recorded on a Record of Individual Counseling, AF Form 174, dated 21 Jul 98.

h. You received a written counseling on 27 May 98 for failing to keep a scheduled appointment, as recorded on a Record of Individual Counseling, AF Form 174, dated 27 May 98.

i. You received a written counseling on 8 Apr 98 for failing to meet minimum standards for processing travel vouchers, as recorded on a Letter of Counseling dated 8 Apr 98. Over a five-week period from 1 Mar 98 to 7 Apr 98, you failed to meet the office and Air Mobility Command standard of processing at least twenty-five vouchers per day.

j. You were reprimanded on 14 Feb 98 for reporting late for duty on 12 Feb 98, as recorded in a Letter of Reprimand dated 14 Feb 98. This tardiness occurred only eight days after you had been admonished for reporting late to duty on several occasions.

k. You were admonished on 4 Feb 98 for failing to report to duty on time on several occasions from 1 Dec 97 to 4 Feb 98, as recorded in a Letter of Admonishment dated 4 Feb 98.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising Special Court-Martial (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.

4. You have the right to consult counsel. Military counsel has been obtained to assist you. I have made an appointment for you to consult Capt [redacted], hangar 4, MacDill AFB on 14 Dec 99 at 1330. 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 by TBD 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 in your own behalf, your failure will constitute a waiver of your right to do so.

7. You have been scheduled for a medical examination. You must report to the 6th Medical Group Hospital - Physical Exams, at TBD 16 Dec 99 - 1400hrs for Part I and TBD for Part II.

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 in the orderly room.

9. Execute the attached acknowledgment and return it to me immediately.

  
Lt Col, USAF  
Commander, 6<sup>th</sup> Comptroller Squadron

Attachments:

1. Respondent's Acknowledgment
2. Memorandum for Record, dated 1 Nov 99
3. Letter of Reprimand (LOR), dated 1 Sep 99 (2pg)
4. Armed Forces Traffic Ticket, DD Form 1408, dated 17 May 99
5. Record of Individual Counseling, AF Form 174, dated 9 Feb 99 (2pg)
6. Letter of Counseling (LOC), dated 29 Sep 99 (2pg)
7. LOR, dated 23 Sep 99 (2pg)
8. Record of Individual Counseling, AF Form 174, dated 21 Jul 98
9. Record of Individual Counseling, AF Form 174, dated 27 Mar 98 (2pg)
10. LOC, dated 8 Apr 98
11. LOR, dated 14 Feb 98
12. Letter of Admonishment, dated 4 Feb 98