

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	GRADE A1C	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	No	
	X	

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOHC	OTHER	DENY
					X*+
					X*+
					X*+
					X*+
					X*+

ISSUES	A95.00 A01.00	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 HE

HEARING DATE	01 Dec 2006	CASE NUMBER	FD-2006-00096
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard in 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

Names and votes will be made available to the applicant at the applicant's request.

* Reason and Authority

+ Reenlistment Code

INDORSEMENT	DATE: 12/5/2006
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

FD-2006-00096

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.

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:

Issue 1. Applicant contends she is a single parent and states she has learned from her mistakes. She is working full time, going to school and trying to make a better future for her children. She has expressed a desire for upgrade to obtain her GI benefits and to allow for reenlistment in the armed forces. The records indicated the applicant received an Article 15, nine Letters of Reprimand, and a Letter of Counseling for misconduct. The applicant received Letters of Reprimand for financial irresponsibility, failure to go, dereliction of duty, failure to accept responsibility, and a domestic dispute. She received an Article 15 for failure to obey an order from her supervisor to cease driving on base without a valid driver's license and making a false official statement. She was reduced in grade to Airman. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. 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.

Issue 2. The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The DRB noted that when the applicant applied for these benefits, she signed a statement that she understood she must receive an Honorable discharge to receive future educational entitlements. The Board 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 A1C) (HGH A1C)

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

2. **BACKGROUND:**

a. DOB: 21 Mar 79. Enlmt Age: 20 4/12. Disch Age: 21 8/12. Educ: HS DIPL. AFQT: N/A. A-90, E-63, G-68, M-42. PAFSC: 3A031 - Information Management Apprentice. DAS: 12 Nov 97.

b. Prior Sv: (1) AFRes 13 Aug 96 - 22 Jul 97 (11 months 10 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 23 Jul 97 for 4 yrs. Svd: 03 Yrs 04 Mo 09 Das, all AMS.

b. Grade Status: A1C - 23 Jan 00
Amn - 23 Mar 99 (Article 15, 23 Mar 99)
A1C - Unknown.
Amn - Unknown.

c. Time Lost: None.

d. Art 15's: (1) 23 Mar 99, Hanscom AFB, MA - Article 90. You, on or about 11 Mar 99, having received a lawful command from Maj [REDACTED]; your superior commissioned officer, then known by you to be your superior commissioned officer, to cease driving on Hanscom AFB, MA without a valid driver's license, or words to that effect, did, on or about 11 Mar 99, willfully disobey the same. Article 107. You did, on divers occasions between on or about 11 Mar 99 and 15 Mar 99, with intent to deceive, make to SMSgt [REDACTED]; First Sergeant, 66 MSS, Hanscom AFB, MA, an official statement, to wit: that you had a valid driver's license, or words to that effect, which statement was false, and was then known by you to be so false. Reduction to Airman. (No appeal) (No mitigation)

e. Additional: LOR/UIF, 20 SEP 00 - Financial irresponsibility.
LOR/UIF/CR, 30 JUN 00 - Financial irresponsibility.
LOR, 29 JUN 00 - Failure to accept responsibility.
LOR, 29 JUN 00 - Dereliction of duty.

LOR, 20 APR 00 - Financial irresponsibility.
 LOR, 20 APR 00 - Failure to go on two occasions.
 LOR, 24 MAR 00 - Failure to go.
 LOC, 24 MAR 00 - Dereliction of duty.
 LOR, 23 FEB 00 - Financial irresponsibility.
 LOR, 31 MAR 99 - Domestic dispute.

f. CM: None.

g. Record of SV: 23 Jul 97 - 22 Mar 99 Hanscom AFB 2 (Initial)REF
 23 Mar 99 - 30 Sep 99 Hanscom AFB 4 (CRO)
 01 Oct 99 - 30 Sep 00 Hanscom AFB 1 (Annual)REF

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

i. Stmt of Sv: TMS: (04) Yrs (03) Mos (19) Das
 TAMS: (03) Yrs (04) Mos (09) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 02 Mar 06.
 (Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

Issue 1: I am a single Mom working full time and going to school. I am trying to better myself for my children's future. I paid for the MGI Bill and would like use it (sic). Financilly (sic) it would help tremendously. I am also talking to a recruiter to rejoin. But for both opportunities my discharge needs to be upgraded. I feel I have learned from my mistakes and I am have (sic) been taking many strides to better myself for myself and children. I am also asking that my RE Code and reason for seperation (sic) be changed as these are all interconnected and having effect on each other.

ATCH
 None.

15MAY06/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS ELECTRONIC SYSTEMS CENTER (AFMC)
HANSCOM AIR FORCE BASE MASSACHUSETTS

FD2006-00096

7 NOV 00

MEMORANDUM FOR A1C: _____, ESC/DI

FROM: 66 MSS/CCQ

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force under AFI 36-3208, paragraph 5.49, Minor Disciplinary Infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your discharge will be characterized as general.
2. My reasons for this action are:
 - a. On or about 14 Sep 00, you were delinquent in meeting the financial obligations with the Hanscom AFB Child Development Center (CDC). This was the latest delinquency in a pattern documented by the CDC since early 1999. For this you received a Letter of Reprimand (LOR) which was placed in your Unfavorable Information File (UIF).
 - b. On or about 27 June 00, you failed to complete several assigned duties and tasks clearly designated to you. For this you received a LOR.
 - c. On or about 21 April 00, you departed Hanscom AFB for a deployment to Prince Sultan AB, Saudi Arabia at which time you failed to contact Access Auto Rental to either return the rental car you had in your possession or make financial arrangements with the company during your absence. The rental company then began searching for you and the car and you accrued a large debt due to back-payments and late fees. For this you received a LOR which was placed in your UIF and you were placed on the Control Roster.
 - d. On or about 20 April 00, you were found financially irresponsible in regards to late and/or missed payments to the CDC. For this you received a LOR.
 - e. On or about 11 April 00, you were found grossly negligent in preparing for your deployment to Prince Sultan. For this you received a LOR.
 - f. On or about 5 April 00, you failed to make mandatory training appointments for an upcoming deployment. For this you received a LOR.
 - g. On or about 24 Mar 00, you failed to report for your scheduled ergometry testing. For this you received a LOR.

- h. On or about 6 Mar 00, you failed to properly prepare yourself for a scheduled appointment with a financial counselor. For this you received a Letter of Counseling (LOC).
- i. On or about 24 Jan 00, it was disclosed that you owed the CDC for back payments. For this you received a LOR.
- j. On or about 15 Mar 99, you were involved in a domestic dispute with your spouse. For this you received a LOR.
- k. On or about 11 Mar 99, you willfully disobeyed your commanding officer and drove on Hanscom Air Force Base without a valid driver's license and deceived the First Sergeant in regards to the validity of your license. For this you received an Article 15 and reduction to the grade of Airman.

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. If you are discharged, you will be ineligible for reenlistment in the Air Force, and will probably preclude enlistment in any component of the Armed Forces.

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 Capt. [redacted] at the Area Defense Counsel on 8 NOV AT 0930. 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 13 NOV 00 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 Physical Exams at 8 NOV AT 0850 for the examination.

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 Base Information Library.

[redacted signature box]

Commander, HQ SQ Section

Attachments:

- 1. AF Form 1058, dated 5 Oct 00
- 2. LOR, dated 20 Sep 00

3. LOR, dated 29 Jun 00
4. AF Form 1058, dated 7 Jun 00
5. LOR, dated 30 Jun 00
6. LOR, dated 20 Apr 00
7. LOR, dated 3 Jul 00
8. LOR, dated 20 Apr 00
9. LOR, dated 24 Mar 00
10. LOC, dated 24 Mar 00
11. LOR, dated 23 Feb 00
12. LOR, dated 31 Mar 99
13. Article 15, dated 23 Mar 99
14. Airman's receipt of Notification Memorandum