

**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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<b>TYPE</b>	<b>GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>	
COUNSEL YES    No <input checked="" type="checkbox"/> <input type="checkbox"/>		NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL		

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 100%; width: 100%;"></div>					X
					X
					X
					X
					X

ISSUES A92.01 A94.05	INDEX NUMBER A67.10	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr><td style="width:5%;">1</td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td>2</td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td>3</td><td>LETTER OF NOTIFICATION</td></tr> <tr><td>4</td><td>BRIEF OF PERSONNEL FILE</td></tr> <tr><td></td><td>COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td></td><td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td></td><td>TAPE RECORDING OF PERSONAL APPEARANCE HEARING</td></tr> </tbody> </table>	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
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HEARING DATE 15 Mar 2007	CASE NUMBER FD-2006-00424																	

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.

<b>INDORSEMENT</b> TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>DATE: 3/16/2007</b> FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FL. OOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00424**

**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 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:**

Issue 1. The applicant contends his discharge was inequitable because it was too harsh. The records indicated the applicant received two Article 15s, four Letters of Reprimand, and one Memorandum for Record for misconduct. The misconduct included financial irresponsibility on divers occasions and making false official statements. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his 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. Applicant states that his discharge did not take into account the good things he did while in the service. The DRB took note of the applicant's duty performance as documented by his performance reports and other accomplishments. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

**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 SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF McChord AFB, WA on 28 Nov 95 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 31 Jan 72. Enlmt Age: 18 7/12. Disch Age: 23 9/12. Educ: HS DIPL. AFQT: N/A. A-58, E-67, G-70, M-78. PAFSC: 2A651A - Aerospace Propulsion Journeyman - Jet Engines. DAS: 14 Sep 93.

b. Prior Sv: (1) AFRes 05 Sep 90 - 04 Mar 91 (6 months) (Inactive).

(2) Enlisted as AB 5 Mar 91 for 4 years. Svd: 3 yrs 1 mo 6 das, all AMS. Amn - Unknown. A1C - Unknown. SrA - 7 Mar 94. EPRS: 4,4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 11 Apr 94 for 4 years. Svd: 01 Yrs 07 Mo 18 Das, all AMS.

b. Grade Status: A1C - 6 Oct 95 (Vacation, 25 Oct 95)

c. Time Lost: None.

d. Art 15's: (1) 25 Oct 95, Vacation, McChord AFB, WA - Article 107. You, did, on or about 16 Oct 95, with intent to deceive, make to TSgt [REDACTED] an official statement, to wit: that the checks to Citibank Visa in the amount of \$27.00 and Pizza Time in the amount of \$25.00, were the only outstanding checks you had in the system, which statement was totally false, and was then known by you to be so false. Reduction to A1C. (No appeal) (No mitigation)

(2) 6 Oct 95, McChord AFB, WA - Article 134. You, being indebted to Army Air Force Exchange Service in the sum of \$68.90 for Deferred Payment Plan, which amount became due and payable on or about 20 Sep 95 to 29 Sep 95, dishonorably fail to pay said debt. Suspended reduction to A1C. Restriction to McChord AFB, WA for 45 days and 14 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR/UIF, 25 OCT 95 - Making several false official statements.

MFR, 28 SEP 95 - Delinquent DPP account notice.  
LOR/UIF, 07 AUG 95 - Financial irresponsibility.  
LOR/UIF, 09 MAY 95 - Financial irresponsibility.  
CR, 12 MAY 95 - Contined Financial irresponsibility.  
LOR/UIF, 24 APR 95 - Finanacial irresponsibility.

f. CM: None.

g. Record of SV: 5 Jul 93 - 04 Jul 94 McChord AFB 4 (Annual)  
5 Jul 94 - 12 May 95 McChord AFB 3 (CMDR DIR) REF

h. Awards & Decs: AFOUA, NDSM, AFOSLTR, AFLSAR, AFTR.

i. Stmt of Sv: TMS: (05) Yrs (02) Mos (24) Das  
TAMS: (04) Yrs (08) Mos (24) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 27 Oct 06.  
(Change Discharge to Honorable.)

Issue 1: I had completed my 4 year enlistment with good service. I feel the punishment was harsch (sic) con?ering (sic) my good service.

ATCH  
None.

13DEC06/day

DEPARTMENT OF THE AIR FORCE  
62D AIRLIFT WING (AMC)  
MCCHORD AIR FORCE BASE, WASHINGTON 98438

13 NOV 1995

MEMORANDUM FOR AIC: .....; 62 MXS

FROM: 62 MXS/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, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, under the provisions of paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

- a. On or about 16 October 1995, you made a false official statement, with intent to deceive, to a Noncommissioned Officer. For this offense, your previous Article 15 suspended sentence was vacated effective 31 October 1995 which resulted in the reduction to the rank of Airman First Class with a new date of rank of 6 October 1995, (atch 1), and an entry into your Unfavorable Information File (UIF). (atch 7)
- b. Between on or about 29 September 1995 and 19 October 1995, you made several false official statements with the intent to deceive. For these offenses, you received a Letter of Reprimand dated 25 October 1995, (atch 2), and an entry into your UIF. (atch 7)
- c. From on or about 21 September 1995 to on or about 29 September 1995, you dishonorably failed to pay a just debt to the Army and Air Force Exchange Service (AAFES). For this offense, you received nonjudicial punishment in the form of an Article 15 dated 10 October 1995, (atch 3), and an entry into your UIF. (atch 7).
- d. On or about 29 June 1995, you uttered a check with insufficient funds to the Base Exchange. For this offense, you received a Letter of Reprimand dated 7 August 1995, (atch 4), and an entry into your UIF. (atch 7)
- e. On or about 13 April 1995, you uttered a check with insufficient funds to the Base Exchange. For this offense, you received a Letter of Reprimand dated 9 May 1995, (atch 5), and an entry into your UIF. (atch 7)
- f. On or about 21 April 1995, you failed to pay a just debt to the Northwest Connection, in which your account was delinquent. For this offense, you received a Letter of Reprimand dated 24 April 1995, (atch 6), and an entry into your UIF. (atch 7)

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 are 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 legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [redacted] 984-2240, in building 100, room 3076 on 13 Nov 95 at 1330 hrs. 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 16 Nov 95/1000 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 in building 173 on 20 Nov 95 at 1500 hrs with your medical records. Fast (drink water only) for 12 hours prior, no alcohol 72 hours prior, no tobacco products 6 hours prior to examination, bring eyeglasses and contact solution if using contacts, and you must be in uniform 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 your Squadron Orderly Room.

[redacted signature]

Commander

Attachments:

1. AF Form 366 dated 31 October 1995 w/atchs
2. Letter of Reprimand dated 25 October 1995 w/atchs
3. AF Form 3070 dated 10 October 1995 w/atchs
4. Letter of Reprimand dated 7 August 1995 w/atchs
5. Letter of Reprimand dated 9 May 1995 w/atchs
6. Letter of Reprimand dated 24 April 1995 w/atchs
7. AF Form 1137
8. Airman's Receipt of Notification Memorandum