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|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBER FD-2019-00249 |
|  GENERAL: The applicant was discharged on 9 Jul 09 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 17 Sep 19. The applicant was offered a personal appearance before the Discharge Review Board (DRB), but declined and requested the board be completed based on a records only review. The applicant was not represented by counsel. The attached examiner’s brief (provided to applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the applicant’s military service.  FINDING: The DRB voted unanimously to deny the applicant’s request to upgrade his discharge characterization to Honorable.DISCUSSION: The DRB, under its responsibility to examine the propriety and equity of an applicant’s discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the board can also change the applicant’s reenlistment eligibility code. In reviewing discharges, the board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the applicant. The board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety. The applicant’s record of service included two Article 15’s, and one vacation of suspended nonjudicial punishment. His misconduct included: failure to go at time prescribed to appointed place of duty (x3). The applicant made no contentions that the discharge was inequitable or improper. The applicant is currently a member of the Army Air National Guard, and was only able to transfer one year of G.I. Bill entitlements to his spouse. The applicant is requesting the change in order to receive full access to his G.I. Bill. The DRB reviewed the applicant’s entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. The board understood the applicant’s present service characterization renders him ineligible for the Department of Veteran Affairs education benefits. However, this is not a matter of inequity or impropriety which would warrant an upgrade. CONCLUSION: The board found insufficient evidence of an inequity or impropriety that would warrant a change to the applicant’s discharge. Therefore, the discharge received by the applicant was deemed to be appropriate and his request was not approved. The DRB results were approved by the board president on 20 Sep 19. If desired, the applicant can request a list of the board members and their votes by writing to: Air Force Review Boards AgencyAttn: Discharge Review Board1500 West Perimeter road, Suite 3700Joint Base Andrews, NAF Washington, MD 20762-6602 Attachment:Examiner's Brief |