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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00056 |
| GENERAL: The applicant was discharged on 17 Nov 04 in accordance with AFI 36-3208 with a General discharge for Misconduct (Pattern of Misconduct). The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 28 Jul 20.  The applicant initially chose to have a personal appearance before the Discharge Review Board (DRB), but due to lack of response/s from the applicant in regards to scheduling the appearance, the President of the AFDRB authorized to complete its review of the discharge, per DOD 1332.8, E3.2.6.2. The applicant did not have a prior records only review, therefore, the board deemed him eligible for one. 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 three Letter of Reprimand. His misconduct included: failure to go at prescribed time to appointed place of time (x2); and failure to adhere to government travel card payment plan.  The applicant contended the discharge was inequitable because it was erroneous. The applicant states that he joined the U.S. Army after separating from the Air Force, and is prohibited from receiving G.I. Bill benefits due to the discharge characterization. He is requesting the upgrade in order to receive the G.I. Bill benefits.  The DRB determined that, through the administrative actions taken by the chain of command in this case, the applicant had ample opportunities to change his negative behavior. 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 30 Jul 20. If desired, the applicant can request a list of the board members and their votes by writing to:  Air Force Review Boards Agency  Attn: Discharge Review Board  3351 Celmers Lane  Joint Base Andrews, NAF Washington, MD 20762-6602  Attachment: Examiner's Brief (Applicant Only) | |