|  |  |
| --- | --- |
|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBER FD-2020-00545 |
|  The applicant was discharged on 14 Jun 18 in accordance with AFI 36-3208 with an Entry Level/ Uncharacterized discharge for Adjustment Disorder. The applicant appealed for an upgrade of his discharge characterization to Honorable, a change to the discharge narrative reason, and a change to the reenlistment eligibility code. The board was conducted on 08 Oct 20. 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 represented by counsel. Pursuant to 10 USC §1553, the board included a member who is a psychiatrist/ psychologist with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI), and training on mental health disorders.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.  The DRB voted unanimously to *deny* the applicant’s request to upgrade his discharge characterization to Honorable, and to change the reenlistment eligibility code to 3K. The DRB voted unanimously *approve* the applicant’s request to change the discharge narrative reason to Secretarial Authority.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 and Counsel contended the discharge was inequitable and improper. They deem it improper as the discharge was not appropriate based existing guidance available and that it was based on legal/factual error. They state that his leadership made a material error of discretion in ignoring relevant information related to recovery and declining symptoms. The council also sites inequity since the member was diagnosed with a temporary situation-based condition and not directly related to military service. The lifelong stigma of a mental health discharge is unjust and unfair as there is no documented recurrence and member has showed clear improvement and a desire to continue military service. Applicant requests to remove adjustment disorder as narrative and upgrade respective RE code so that he may reenter the military.In accordance with AFI 36-3208, Airmen are in entry level status during the first 180 days of continuous active military service. If separated during this time, they normally receive an Entry Level Separation that is not characterized. Because it is Air Force policy to not characterize this type of separation, the applicant’s request to “upgrade” it to Honorable could not be approved. The applicant’s request for a change of re-entry code to allow for re-enlistment could not be supported due to current policies. Under DoDI 6130.03, Medical Standards for Appointment, Enlistment, or Induction in the Military Services, under Learning, Psychiatric, and Behavioral Condition, the applicant’s reported history of mental health conditions or disorders prior to and during service are considered disqualifying conditions for induction into military service. Liberal consideration is also not applied to the applicant’s petition due to his reason for ELS discharge being exempt for consideration under this policy. Per guidance from the Department of Defense, applicant requests to change the narrative reason should be approved when the original narrative reason was Adjustment/Personality Disorder and there were no aggravating factors in the record, such as misconduct. The board determined the facts in this case met the criteria and, therefore *approved* the applicant’s request to change the narrative reason.If the applicant can provide additional information to substantiate his contentions, the board recommends he exercise the right to make a personal appearance before the DRB or directly appeal the DRB’s decision to the Air Force Board for Correction of Military Records. CONCLUSION: The board found neither the evidence of record, nor that provided by the applicant substantiated any inequity. However, sufficient evidence existed to convince the board the discharge was improper due to changes in policy. Therefore, the board determined the discharge narrative reason was more accurately described as “*Secretarial Authority*.” The board did not change the discharge characterization or the reenlistment eligibility code. The DRB results were approved by the board president on xx Oct 20. 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 Board3351 Celmers LaneJoint Base Andrews, NAF Washington, MD 20762-6602 Attachment:Examiner's Brief (Applicant Only) |