

SUMMARY: The applicant was discharged on 13 March 2018 in accordance with AFI 36-3208, *Administrative Separation of Airmen* with a “Entry Level Discharge” after “Failure To Complete Commissioning or Warrant Program.” The applicant appealed for a change to his reenlistment eligibility (RE) code.

The applicant was not represented by counsel.

The applicant initially chose to have a personal appearance before the Air Force Discharge Review Board (AFDRB), but due to lack of response from the applicant prior to and during the scheduled hearing time, the President of the AFDRB authorized to complete its review of the discharge, per DoD 1332.28, *Discharge Review Board (DRB) Procedures and Standards*, Enclosure 3, E3.2.6.2. The applicant did not have a prior records only review therefore the board deemed him eligible for one.

The Board was conducted on 11 April 2023.

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.

DISCUSSION: The Air Force Discharge Review Board (AFDRB), 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 documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States* and any additional documentation submitted by applicant and/or counsel; the applicant’s personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the applicant’s service information and a summary of the case.

The applicant was discharged due to failing to complete the commissioning program. He requested an upgrade to the RE code so he may rejoin the military. The applicant claims that he was harassed while in Officer Training School but did not provide any specific contentions as to why the discharge was inequitable or improper.

The DRB reviewed the applicant’s entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. Upon review of the applicant’s service record, the Board was not able to find any documentation regarding the discharge. Since the board relies on the presumption of regularity, it concluded the discharge received by the applicant was appropriate.

Due to evidence of a mental health condition found in the applicant’s medical record, the Board considered the case based on the liberal consideration (LC) standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a clinical psychologist. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that boards should consider when weighing evidence in requests for modification of discharges due

in whole or in part to mental health conditions, including post-traumatic stress disorder (PTSD); Traumatic Brain Injury (TBI); sexual assault, and sexual harassment. The Board considered the following:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

The applicant checked the boxes for "PTSD" and "other mental health" on the application. The applicant did not provide any additional information or records about his mental health in the application.

2. Did that condition exist/experience occur during military service?

The applicant checked the boxes on the applications for "PTSD" and "other mental health". There is no evidence the applicant sought or received any mental health treatment during his time in service. The applicant did not provide any additional information, records, or testimony about his in-service mental health condition.

3. Does that condition, or experience actually excuse or mitigate the discharge?

Based on the available records, there is no evidence a mental health condition caused the applicant's discharge. The applicant's discharge package was not available for review. The applicant checked the boxes for "PTSD" and "other mental health" on the application although did not submit any additional information regarding these contentions and there is no evidence the applicant received the diagnosis of PTSD, or any other mental health diagnosis, during his time in service. A review of the applicant's DD-214 revealed the applicant was discharged after two (2) months' time in service. The applicant did not complete the entry level status of 180 days of service as detailed in AFI 36-3208, thus the characterization of the applicant's service was appropriately deemed as uncharacterized. There is evidence, based on a review of the applicant's post service records, that the applicant may have a disqualifying mental health condition.

4. Does that condition, or experience outweigh the discharge?

The applicant did not complete the entry level status of 180 days of service as detailed in AFI 36-3208, thus the characterization of the applicant's service was appropriately deemed as uncharacterized.

Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, *Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations*, dated 25 June 2018, known as the "Wilkie Memo."

FINDING: The AFDRB voted unanimously to *deny* the applicant's request to change the reenlistment eligibility code to "3K."

Should the applicant wish to appeal this decision, the applicant must request a personal appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*, all applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the AFBCMR, otherwise their AFBCMR case will be administratively closed until such time that the applicant avails themselves of the available avenue of relief. Therefore, should the applicant wish to appeal this decision, they must first exercise their right to make a personal appearance before the AFDRB.

CONCLUSION: After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. Therefore, the awarded characterization of service shall remain "Entry Level

Discharge,” the narrative reason for separation shall remain “Failure To Complete Commissioning or Warrant Program,” and the RE code shall remain “4L.” The AFDRB results were approved by the board president on 05 July 2023.

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

Instructions on how to appeal an AFDRB decision can be found at
<https://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)