

SUMMARY:

The applicant was discharged on 13 July 2017 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airman* with an Entry Level Separation for Adjustment Disorder. The applicant appealed for an upgrade of her reenlistment eligibility code.

The applicant was not represented by counsel.

The applicant initially chose to have a personal appearance before the Discharge Review Board (DRB), but the applicant did not show up to the appearance. Subsequently, the President of the AFDRB authorized the board to complete its review of the discharge, per DODI 1332.28, *Discharge Review Board Procedures and Standards*, E3.2.6.2. The applicant did not have a prior records only review, therefore, the board deemed her eligible for one.

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 Discharge Review Board (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 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 indicated that she was 18 and completely unprepared for basic training but decided to go anyway. She explained that now as a 24-year-old, who has done a lot of growing, she feels she is now ready to serve, and asked for a second chance.

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 recognized that the applicant was 18 years old when the discharge took place, but it noted she was no younger than the vast majority of first-term Airmen who successfully graduated basic military training. Additionally, the applicant's request for a change of RE 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*, under 6.28 "Learning, Psychiatric, and Behavioral Conditions," the applicant's reported history of mental health conditions or disorders prior to, during, and post-service are considered disqualifying conditions for induction into military service. To allow reentry, the applicant must provide substantial evidence that they have been rehabilitated and the condition that resulted in the discharge no longer exists.

While this case involves a mental health condition and would normally require a liberal consideration review, a change to the narrative reason is a presumptive grant because it contains sensitive information (i.e. diagnostic disclosures) that are no longer used as of 2018. In accordance with 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, the change to the Narrative Reason for Separation is appropriate based on a change in policy.

A request to change her uncharacterized Entry Level Separation to "Honorable" could not be approved. This would violate current Air Force policy IAW AFI 36-3208, which states Airmen are in entry level status during the first 180 days of continuous active military service and if a separation action is initiated during this time, they will receive an entry level separation without service characterization.

LIBERAL CONSIDERATION:

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 physician, clinical psychologist, or psychiatrist. 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 contended "I enlisted in the Air Force at 17 where I was in the DEP and shipped out to BMT 10 days after graduation from high school. As a military kid who moved every two years, I can say firsthand that I do not have issues adjusting to new environments and actually quite enjoy doing so. Before I was sent to BMT I knew the likelihood of me making it past training was slim to none, I was 18 and completely unprepared but decided to go anyway, as a now 24-year-old who has lived a lot of life and done a lot of growing I do feel as though I am ready to serve, and I would make this second chance count and succeed. I do ask that you please consider making me eligible for reenlistment."

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

There is evidence the applicant received mental health services during her time in service. A review of the applicant's records revealed the applicant received the diagnosis, in service, of adjustment disorder. The applicant's records revealed the applicant endorsed symptoms of anxiety, worry, low motivation to continue training in the Air Force.

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

There is no evidence the applicant's discharge was improper or did not follow the requirements of Entry Level Separation IAW 36-3208. 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 and is not outweighed by a mental health condition.

4. Does that condition or experience outweigh the discharge?

The applicant's discharge was caused by an unsuiting mental health condition; thus her discharge is not mitigated by her mental health condition (i.e. the narrative reason or re-entry code). However, in response

to the applicant's request for relief, the Board recognizes the importance of accurate separation codes that do not inadvertently stigmatize Service members or disclose sensitive information. In July 2018, "condition, not a disability" was designated as the appropriate code family for separations based on non-disability mental health conditions. The Board recommends granting a change in the applicant's narrative reason for separation to "condition, not a disability".

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." The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade discharge characterization and to change the reenlistment eligibility code. However, it voted unanimously to *approve* the request to change the discharge narrative reason to "Condition, Not a Disability."

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 inequitable. Therefore, the awarded characterization of service shall remain "Entry Level Separation," the narrative reason for separation shall change to "Condition, Not a Disability," and the reenry code shall remain "2C." The Air Force DRB (AFDRB) results were approved by the board president on 03 August 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)

