

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**

**SUMMARY:**

The applicant was discharged on 10 October 2014 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a General Discharge for Fraudulent Entry. The applicant appealed for an upgrade of his discharge characterization, a change to the discharge narrative reason, and a change to the reentry code.

The applicant was not represented by counsel.

The applicant requested the board be completed based on a records only review. The Board was conducted on 26 September 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 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 reentry 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 multiple Letters of Reprimand and multiple Letters of Counseling. His misconduct included: Admitted to an investigator for the county Sherriff's office that he used illegal drugs prior to entering the Air Force. However, the respondent indicated on the USAF Drug and Alcohol Abuse certificate that he had never experimented, used, or possessed any illegal drugs or narcotics; failed to follow a technical order and use appropriate tools for a task; failed to report to work at the time prescribed; failed to report to work at the time prescribed; reported to work unshaven; failed Air Force fitness assessment; Cited by local police department for speeding and racing on the highway and streets, reckless driving, and driving without a license.

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 requested an upgrade so that he may use the GI Bill. He claimed that he informed the recruiter that he had prior marijuana use but was told not to tell anyone.

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 applicant understood the consequences of lying on the USAF Drug and alcohol abuse certificate, as it is explained clearly on the form. It is the member's responsibility to be truthful on the form, no matter what a recruiter allegedly instructed him to do. Additionally, the applicant had several other instances of misconduct, that in totality, warranted a discharge on its own. The board understood the applicant's present service characterization renders him ineligible for Department of Veterans

Affairs education benefits. However, this is not a matter of inequity or impropriety which would warrant an upgrade.

**FINDING:** The DRB voted unanimously to *deny* the applicant's request to upgrade his discharge characterization, to change the discharge narrative reason, and to change the reentry code.

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 "General," the narrative reason for separation shall remain "Fraudulent Entry," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the board president on 27 September 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)