

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY: The applicant was discharged on 13 April 2023 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Entry Level Separation (ELS) for Fraudulent Entry (Drug Abuse). The applicant appealed for an upgrade of her discharge characterization and a change to the separation and reentry codes.

The applicant was represented by counsel.

The applicant requested the board be completed based on a records only review. The Board was conducted on 05 October 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 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 made no contentions. She claimed she unwisely used cocaine three times prior to joining the Air Force and did not disclose the use to MEPS. She requested an upgrade to join the US Navy.

A review of the applicant's record revealed she disclosed at Basic Military Training that she used cocaine three times prior to joining the Air Force. She also admitted that she did not disclose this information to MEPS. She further claimed she chose to disclose this information during training in order to be truthful and honest going forward.

After reviewing the service record, the DRB found no evidence to indicate the applicant was unaware of the Air Force policy of zero tolerance for illegal drug use. Furthermore, the DRB concluded the applicant's failure to knowingly disclose her pre-service drug use was willful misconduct and demonstrated a lack of integrity and honesty.

Finally, the applicant requested her uncharacterized Entry Level Separation be upgraded to "Honorable." However, 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. Therefore, the applicant's request to "upgrade" to "Honorable" could not be approved.

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

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 Separation," the narrative reason for separation shall remain "Fraudulent Entry (Drug Abuse)," and the reentry code shall remain "2G." The Air Force DRB (AFDRB) results were approved by the board president on 10 October 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://afrbaportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)