

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**

**SUMMARY:**

The applicant was discharged on 31 October 2008 in accordance with Department of Air Force Instruction 36-3211, *Military Separations*, with an Uncharacterized discharge for Fraudulent Entry into Military Service. 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 07 December 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 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 asserted that their discharge was inequitable due to several errors made by the physician assistants during the examination, including an inaccurate diagnosis of Plantar Fasciitis. The applicant maintains that the actual condition was a stress fracture caused by a vitamin D deficiency. Additionally, they argue that the fracture developed during their Basic Military Training, as there was no indication of it in their MEPS record. These points strongly indicate that the discharge was wrongful, and that the applicant should be given another opportunity to serve their country.

The DRB notes the applicant's declaration of 'no' foot pain on the enlistment document. They also recognize that the applicant may not have been aware of the chronic condition that would render him ineligible for service. DRB has therefore given the applicant the benefit of the doubt and assumed that there was no intention of fraud. The applicant requested his 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 his discharge characterization and to change the reentry code. However, it voted unanimously to *approve* the applicant's request to change 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 improper. Therefore, the awarded characterization of service shall remain "Entry Level Separation," the narrative reason for separation shall change to "Secretarial Authority," and the reentry code shall remain to "2C." The Air Force DRB (AFDRB) results were approved by the presiding officer on 18 December 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)