

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY:

The applicant was discharged on 02 September 2021 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Entry Level Separation for Fraudulent Entry (Drug Abuse). 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 11 January 2024.

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 asserts that he did not inform MEPS about his marijuana use, however he did communicate this information to the recruiter. In a signed letter, the applicant revealed that he began using marijuana in June 2017, engaging in casual smoking with friends at parties. After careful consideration, he reported to his Military Training Instructor, and acknowledged developing an addiction, having smoked marijuana nearly 100 times. Although encountering challenges, the applicant exhibited a steadfast commitment to staying in the Air Force. The Applicant is now pursuing a career with the Navy.

The DRB determined that the upgrade of the reentry code was justified, considering the evidence of the applicant's disclosure of marijuana usage to the recruiter and during his Sensitive Skills interview. Considering the overall circumstances, the Board decided that the applicant should not be prohibited from applying for reentry into military service, considering his willingness to continue service and admission regarding usage.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade his discharge characterization and discharge narrative reason. However, it voted 2 to 1 to *approve* the applicant's request to change 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 but inequitable, which is the reason for upgrade. Therefore, the awarded characterization of service shall remain "Entry Level Separation" and the narrative reason for separation shall remain "Fraudulent Entry (Drug Abuse)" and the reentry code shall change to "3K". The Air Force DRB (AFDRB) results were approved by the presiding officer on 22 January 2024. 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)