

**SUMMARY:**

The applicant was discharged on 25 January 2021 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with a General Discharge for Misconduct (Minor Infractions). The applicant appealed for a change to the reentry code.

The applicant requested the board be completed based on a records only review. The Board was conducted on 29 February 2024. The applicant was not represented by counsel.

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. Their misconduct included: Failure to Pass a Dorm Inspection, Failure to Meet Minimum Physical Fitness Assessment 2x, Failure to Obey Regulation, Failure to Maintain a Physical Fitness Training Log, And Failure to Maintain Dorm Room.

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 seeks to upgrade their reentry code to reenlist back into the service. The applicant contended that they suffered from mental health and physical issues during military service. Although the applicant provided notes from his primary care physician, there was not sufficient evidence to indicate the issues that impeded their military service are no longer a factor and those issues would no longer affect their ability to reenlist into the Air Force.

The DRB found after a records review that the applicant had a consistent pattern of misconduct beyond the failure to meet the military's physical health standards. It was noted that there was no evidence of any underlying medical condition that may have contributed to their misconduct or the failure to meet the minimum standards required to pass the physical fitness assessment. The evidence provided by the applicant would have held more administrative weight to validate the historical or current health of the applicant if the evaluation had been conducted by a provider who could relay a knowledge of military medical and fitness standards and the applicant's military medical history and previous ability to meet the standards. The DRB also noted that though the applicant identified there were mental health conditions that contributed to their discharge, a records review found no underlying factors. Ultimately, the board concluded that the reentry code and discharge received by the applicant was appropriate.

## **LIBERAL CONSIDERATION:**

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

*The applicant checked the box for "other mental health" on the application. The applicant contended "I believe that I should have a higher RE code because of mental issues I had while I was enlisted. While I was enlisted in the Air Force I visited base mental health while I was in tech school and I was diagnosed with adjustment disorder with anxiety and depressive symptoms. I am no longer suffering from these mental conditions. I have a document from a physician stating that I am no longer suffering from these conditions."*

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

*A review of the applicant's medical record revealed the applicant was referred to the mental health clinic due to concerns about his personal and spatial hygiene during his time in service. The applicant's records revealed the applicant reported low motivation to maintain minimum hygiene standards and a preference to spend time playing video games and facetimeing friends. The applicant reported mild distress that he was unable to pass his PT test but reported he no longer needed mental health services after deciding the military is not the best fit for him.*

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

*A review of the applicant's DD214 revealed the applicant was discharged with a General service characterization due to misconduct (minor infractions) with one year, nineteen days time in service.*

*The applicant's records revealed the applicant received seven documented administrative actions for misconduct during his brief time in service.*

*There is no evidence a mental health condition caused or substantially contributed to the acts of misconduct that led to the applicant's discharge. The applicant revealed he endorsed symptoms of boredom and maladaptive coping skills during his time in service, but reported to providers that he had low motivation to change. The applicant's records revealed the applicant requested to discontinue mental health services after three sessions noting he felt improved knowing he was being discharged.*

*The applicant was discharged due to misconduct. There is evidence the applicant exhibited and endorsed difficulty adjusting to the military lifestyle and poor coping skills, resulting in his in-service diagnosis of adjustment disorder of with disturbance of mood and contact, which may explain the applicant's misconduct but does not mitigate the applicant's discharge.*

*The applicant requested a change to his re-entry code "because of mental health issues I had while I was enlisted." The Discharge Review Board is not the waiver authority for re-entry and will not opine on the applicant's current fitness for military service. The applicant was discharged due to misconduct. There is no evidence the applicant was discharged due to a mental health condition. Further, there is no evidence a mental health condition caused or substantially contributed to the misconduct that led to his discharge.*

4. Does that condition or experience outweigh the discharge?

*No error was found in a review of the applicant's records because the applicant's discharge is not mitigated or excused, the applicant's discharge is not outweighed.*

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 and found no evidence of inequity or impropriety.

**FINDING:** The DRB voted Unanimously to *deny* the applicant’s request to upgrade their 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 “Misconduct (Minor Infractions),” and the reentry code shall remain “2B.” The Air Force DRB (AFDRB) results were approved by the Presiding Officer 9 March 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://afrbaportal.azurewebsites.us>

Attachment:  
Examiner's Brief (Applicant Only)

