

SUMMARY:

The applicant was discharged on 06 July 2022 in accordance with *Air Force Instruction 36-3208, Administrative Separation of Airmen*, with an Entry Level Separation Discharge for a Condition, Not a Disability. 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 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 an upgrade in their reentry code to reenlist in the service. They contended that during active duty, they were diagnosed with situational depression after seeking help following a close friend's suicide. Importantly, they emphasize that despite their diagnosis, they were never a threat to themselves or others, asserting their capability to continue serving. Supporting this, the applicant has submitted evidence of their medical records from that time to provide comprehensive insight into their condition and treatment history.

The DRB acknowledges that the applicant is not challenging the propriety or equity of their discharge but is requesting a second chance to return to the service. Upon careful examination of the applicant's record, the DRB observes that the discharge and reentry code aligns with the guidance in AFI 36-3208. While the applicant reported a mental health condition during training, they ultimately did not fulfill the 180-day service requirement, resulting in their awarded reentry code. At this time the applicant did not present any evidence to the board demonstrating that their mental health condition no longer persists, and they would be able to finish training a second time.

LIBERAL CONSIDERATION:

Due to evidence of a mental health diagnosis and/or experiences of sexual assault or sexual harassment and/or records documenting that one or more symptoms of mental health conditions and/or experiences of sexual assault or sexual harassment existed/occurred during military service found in the applicant's record, the Board considered the case based on the liberal consideration (LC) standards required by guidance from

the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a physician, clinical psychologist, psychiatrist or social worker with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI) or other trauma. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that boards should consider when weighing evidence in requests for modification of discharges due in whole or in part to mental health conditions, including PTSD; TBI; sexual assault, and sexual harassment. The Board considered the following:

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 am asking for an RE code upgrade due to the fact that I still wish to serve in the United States Air Force in any capacity be it active duty, reserve, or guard. I sought help to deal with the trauma of losing a close friend to suicide and wished to work through my own problems that were holding me back from my full potential. I was diagnosed with situational depression by the mental health professionals at Sheppard AFB but was not hospitalized nor did I receive any medication. I was never a danger to myself or others.”

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

A review of the applicant’s medical records revealed the applicant presented to mental health clinic as a walk-in during his time in technical training and reported symptoms of depressed mood, sleep disturbance, and fatigue for previous eight months. The applicant’s records revealed the applicant received the diagnosis of major depressive disorder during his time in service. The applicant’s records revealed the applicant did not pursue a waiver and requested to be separated.

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 an uncharacterized entry level separation due to a condition, not a disability with three months, twenty-two days time in service. A review of the documentation submitted by the applicant and the applicant’s in-service medical records revealed the applicant endorsed symptoms of a depressed mood, morbid ideation, difficulty engaging in training, poor concentration, and sleep disturbance during his time in service resulting in his entry level separation.

There is no evidence the applicant’s discharge was improper or did not follow the requirements of Entry Level Separation IAW 36-3208. The applicant did not complete the entry level status of 180 days of service as detailed in AFI 36-3208, thus the characterization of the applicant’s service was appropriately deemed as uncharacterized and is not outweighed by a mental health condition.

The applicant requested a change to his re-entry(RE) code and stated “I am asking for an RE code upgrade due to the fact that I still wish to serve in the United States Air Force in any capacity be it active duty, reserve, or guard.” The applicant also contended “I was diagnosed with situational depression by the mental health professionals at Sheppard AFB but was not hospitalized nor did I receive any medication. I was never a danger to myself or others”. 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. At the “snapshot in time” of the applicant’s service the applicant’s records revealed the applicant exhibited and endorsed symptoms of a mental health condition and the applicant did not desire to continue his military training. There is no evidence the applicant’s discharge was improper or did not follow the requirements of Entry Level Separation IAW 36-3208.

4. Does that condition or experience outweigh the discharge?

There is no evidence the applicant's discharge was improper or did not follow the requirements of Entry Level Separation IAW 36-3208. The applicant did not complete the entry level status of 180 days of service as detailed in AFI 36-3208, thus the characterization, narrative reason for separation, and re-entry code of the applicant's service were appropriately characterized and are not outweighed by a mental health condition.

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 "Condition, Not A Disability," the narrative reason for separation shall remain "Entry Level Separation," and the reentry code shall remain "2C." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 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://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)

