

SUMMARY:

The applicant was discharged on 10 September 2018 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with an Entry Level Separation Discharge for 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 21 March 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 requested an upgrade to their reentry code as they believe that the reentry code was given in error. During their discharge process, they applicant stated that they were counseled that they would have an option to later reenlist if their condition improved. The applicant specified that they would have fought to stay in the Air Force if they had known that they would not have an opportunity to serve again. They feel they have put in the work to improve their mental health and are now ready to serve their country.

The DRB recognized that the applicant did not contest that there was any impropriety or inequity in their discharge. If it is true the applicant was miscounseled about their reentry code, it's important to note that the DRB has the authority to upgrade a discharge only if it is determined that an inequity or impropriety occurred at discharge. The Board did not find evidence to warrant changing the applicant's reentry code. Furthermore, the applicant did not provide any evidence to support such a change.

The DRB also noted that though the applicant did not request for their uncharacterized Entry Level Separation to be "upgraded" to Honorable, the applicant would not be eligible for that upgrade. An upgrade to Honorable would violate current Air Force policy in accordance with Air Force Instruction 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.

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 is requesting her re-entry (RE) code be changed and contended "I am requesting that the RE code given to me, 2C, be changed to a code that does not bar me from attempting to rejoin the Air Force. I believe this code was given to me in error because I was told during separation that I would have the option to later reenlist."

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

A review of the applicant's available records revealed the applicant was evaluated in the emergency room due to suicidal statements during her time in service and was subsequently evaluated by Behavioral Analysis Services at which time the applicant endorsed symptoms of sleep disturbance, nightmares, guilt, low motivation, poor concentration, loss of appetite, low mood, irritability, hopelessness, agitation, tearfulness. The applicant received the diagnosis of adjustment disorder with depressed mood during her time in service.

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

The applicant's DD214 revealed the applicant was discharged with an uncharacterized entry level separation due to a condition, not a disability with two months, twenty-two days time in service. A review of the applicant's discharge package revealed the applicant was discharged due to adjustment disorder. The mental health evaluation was provided as part of the applicant's discharge processing and summarized the applicant's symptoms that led to the provider's recommendation for separation: "the member reports the onset of distress and associated symptoms (e.g. sleep disturbance, nightmares, guilt, low motivation, poor concentration, loss of appetite, low mood, irritability, hopelessness, agitation, tearfulness) since arriving to BMT. She indicates the onset of her symptoms occurred secondary to a series of stressors (e.g., BMT, conflict within her flight, separation from support during later phases of training) and prompted regular morbid thoughts and an instance of self-directed violence in the training environment." In the applicant's testimony statement to the Board, she stated (in part) "I agree with the Air Force's decision to separate me. I did experience a disproportionate amount of stress and Adjustment disorder does disqualify a candidate for 6 months." The applicant also described in her testimony her situation pre and post service and stated she feels she has developed increased coping skills. There is evidence the applicant exhibited and endorsed difficulty adjusting to the military lifestyle and poor coping skills, resulting in her in service diagnosis of adjustment disorder, which may explain the applicant's misconduct but does not mitigate the applicant's discharge.

The Discharge Review Board is not the waiver authority for re-entry into military service and will not opine on the applicant's current fitness for military service. 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 deemed as uncharacterized and is not outweighed by a mental health condition.

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 deemed as uncharacterized and is 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 "Entry Levels Separation," the narrative reason for separation shall remain "Condition, Not A Disability," and the reentry code shall remain "2C." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 21 April 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)