

SUMMARY: The Applicant was discharged on 10 March 2009 in accordance with *Air Force Instruction 36-3208, Administrative Separation of Airmen*, with a General Discharge for Failed Medical/Physical Procurement Standards. The Applicant appealed for an upgrade of their discharge characterization, a change to the discharge narrative reason, and a change to the reentry code.

The Applicant appeared and testified before the Discharge Review Board (DRB), without counsel, via video teleconference using Zoom on 02 July 2024. No witnesses were present to testify on the Applicant's behalf.

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 stated that they were injured during a training exercise while in service. They received a back injury that disqualified them from military service, and they were released to receive treatment with the promise that they would be granted a waiver and allowed to return to service. The Applicant stated that they were misled and were instead coded to be unable to reenter. The Applicant requested that their service be recognized as honorable due to the service-connected disability and that their narrative reflect this as well.

The DRB determined that the Applicant was discharged with an uncharacterized Entry Level Separation due to erroneous enlistment, as they did not meet the medical standards required for military service. The medical team found that the Applicant's back pain was not permanently aggravated by the training exercise beyond the normal progression of their condition, contradicting the Applicant's claim that the injury was service-related. Consequently, the Applicant's request to upgrade the discharge to "Honorable" cannot be granted, as it would violate the policies outlined in DoDI 1332.14, which require an entry level separation without service characterization for separations occurring within the first 180 days of service.

The Applicant did not provide sufficient evidence to support their claim that the back injury was service-connected, and medical records indicated a preexisting condition. Although the Applicant has shown commendable efforts in turning their life around and assisting other veterans, these actions do not impact the legal requirements for discharge characterizations. The Board found no evidence of impropriety or inequity in the discharge process, and the medical review and discharge decision were consistent with established policies.

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 seek relief before the Air Force Board for Correction of Military Records (AFBCMR) in accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*.

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 Level Separation,” the narrative reason for separation shall remain “Failed Medical/Physical Procurement Standards,” and the reentry code shall remain “4C.” The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 4 September 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)