

SUMMARY: The Applicant was discharged on 5 April 2017 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Entry Level Separation for Adjustment Disorder. The Applicant appealed for a change to the discharge narrative reason, and a change to the reentry code.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 11 July 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 contended that there were multiple errors in their military separation process. They had asserted that it was inaccurately recorded that they had adjustment disorder with mixed anxiety and depression, despite no medical records supporting this diagnosis. Additionally, the Applicant stated that the official discharge packet did not cite this diagnosis as the basis for their discharge. The discharge packet mentioned the Applicant's alleged suicidal ideations, which the Applicant denied. The Applicant had also noted spelling errors in the documentation. They were advised against legal action but encouraged to seek an upgrade of their separation code, reentry code, and narrative reason from the Board. The Applicant submitted their discharge packet and DD214 to support their case.

The DRB found the Applicant was recommended for discharge due to a mental disorder that impaired their military service. During this time, they were diagnosed with adjustment disorder with mixed anxiety and depressive mood. The Applicant's Command team perceived this condition as severe, affecting the Applicant's ability to function effectively in the military environment. Despite the Applicant now disputing the medical findings, they previously acknowledged their accuracy when the mental health advisor recommended their discharge from the military. It is noted in their military record that the Applicant waived their right to counsel and their right to submit a defense statement during pending discharge proceedings, choosing instead to return home. The Board recognizes the need for accurate and non-stigmatizing separation codes and thus recommends changing the narrative reason for separation to "Condition, not a disability." However, the RE Code 2C remains justified, accurately reflecting the circumstances of the Applicant's discharge.

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 "it was transcribed that I have adjustment disorder with mixed anxiety and depressed mood. I do not have any prior or current medical records from any medical professional stating that I have this disorder. The Air Force put this diagnosis on the DD214 but only the military has ever mentioned this disorder."

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

A review of the Applicant's records revealed the Applicant received outpatient and inpatient mental health service during his time in basic military training and received the diagnosis, in service, of adjustment disorder with mixed anxiety and depression.

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

A review of the Applicant's records revealed the Applicant was given an uncharacterized entry level separation (ELS) due to an adjustment disorder with three months, nine days' time in service. The Applicant's records revealed multiple inpatient psychiatric hospitalizations due to the Applicant expressing suicidal ideations during their brief time in service and the Applicant's records revealed the Applicant reported to providers the training environment exacerbated his symptoms.

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 his adjustment disorder, under the provisions of AFPD 36-32, and AFI 36-3208, Chapter 5, Section 5B, Involuntary Convenience of the Government, Paragraph 5.11, Conditions that Interfere with Military Service, specifically Paragraph 5.11.9.3. At the "snapshot in time" of the Applicant's service the Applicant's records revealed the Applicant exhibited and endorsed suicidal ideation and symptoms of a mental health condition, adjustment disorder with mixed anxiety and depression, that impaired his ability to effectively perform his military duties. Further, the Applicant's records revealed the Applicant made it known the Applicant did not desire to continue his military training due to the stress of the training environment and did not wish to consult with counsel because the Applicant wanted to go home. There is evidence the Applicant exhibited and endorsed difficulty adjusting to the military lifestyle and poor coping skills, resulting in in-service diagnosis of adjustment disorder, which may explain the Applicant's discharge but does not mitigate the Applicant's discharge. 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?

The Applicant's discharge was caused by an un-suiting mental health condition, thus his discharge is not mitigated nor outweighed by his mental health condition (i.e. the characterization, or re-entry code). However, in response to the Applicant's request, the Board recognizes the importance of accurate separation codes that do not inadvertently stigmatize Service members or disclose sensitive information. In July 2018, "condition, not a disability" was designated as the appropriate code family for separations based on non-disability mental health conditions. The Board recommends granting a change in the Applicant's narrative reason for separation to "condition, not a disability."

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 *approve* the Applicant's request to change the discharge narrative reason, however they voted unanimously to *deny* changing 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 Level Separation," the narrative reason for separation shall Change to "Condition Not A Disability," and the reentry code shall remain "2C." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 3 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)

