

SUMMARY: The Applicant was discharged on 12 August 2022 in accordance with Air Force Instruction 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, with an Honorable discharge for “Medically Unqualified for Further Military Service”. 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 30 May 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 they were discharged for having seizures as a one-time occurrence without a known cause. The Applicant stated they never had seizures before or after and has since been diagnosed with Autoimmune Encephalitis. They stated they do not take medication for the condition as it is not needed, and no seizure medication is required.

The DRB found that the Applicant enlisted in the Air National Guard on 21 May 2018 and was discharged on 12 Aug 2022 under AFI 36-3209, Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members, Paragraph 3.13.4.1, due to being found unqualified for military service. The medical history memo provided by the Applicant states, “His medical history includes previous neurologic dysfunction with noted seizures in the past. These issues were related to an underlying autoimmune cause (autoimmune encephalitis). That condition would not be expected to return, as he has had no significant neurologic dysfunction or seizure episodes in over two years.” The DRB requested a medical subject matter expert review, which did not support the relief being sought due to the risk posed by seizures, stating: “One, however, cannot overlook the disconcerting ‘autoimmune’ designation. Autoimmune conditions, wherein the body attacks itself, are prone to recurrence and this may increase the frequency of the Applicant’s seizures beyond what he or the medical expert suggest.” The medical review also advised the Board that while the frequency of seizures may be low, their severity poses the most concerning risk, potentially having a catastrophic effect on military missions. The Board concurred with this finding and determined not to support the relief sought by the Applicant.

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 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 “Honorable,” the narrative reason for separation shall remain “Medically Unqualified for Further Military Service,” and the reentry code shall remain “6H.” The DRB results were approved by the Presiding Officer on 29 July 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)