

SUMMARY: The Applicant was discharged on 1 October 2019 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Uncharacterized discharge for Fraudulent Entry. 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 8 August 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 claimed that their Fraudulent Entry narrative was incorrect because it misrepresented the determination of pre-service history as stated in the Military Psychological Determination. The Applicant argued that their post-service civilian psychological diagnostic assessment provided clear evidence that they did not have any pre-service mental health issues and had never attempted suicide.

The Applicant provided the following documents in support of their claim:

- DD Form 214, *Certificate of Release or Discharge from Active Duty*
- Civilian Psychological Assessment
- Military Psychological Assessment
- Separation Package
- Unofficial College Transcript
- Honor Society Induction

The Board determined that during the zero week of Basic Military Training (BMT), the Applicant underwent a mental health (MH) evaluation due to significant distress reported during BMT. The evaluation revealed a disqualifying mental health history on a screening questionnaire. The Applicant's responses indicated that at age 17, their suicidality escalated, including preparatory behaviors and an aborted suicide attempt. This history of suicidality was not reported at the Military Entrance Processing Stations (MEPS). As a result, the Applicant was discharged due to fraudulent entry for failing to disclose pre-existing mental health conditions, which were later revealed, along with the Applicant's requests for discharge from the military. Liberal consideration does not apply to the Applicant's request, as the MH conditions underlying the request existed prior to service (EPTS).

The Applicant requested that their uncharacterized Entry Level separation be upgraded to Honorable. However, since the Applicant served less than 180 days of continuous active duty, this request would violate AFI 36-3208, *Administrative Separation of Airmen*. According to this policy, 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 period, they will receive an Entry Level separation without service characterization. Therefore, the Applicant's request to upgrade to "Honorable" cannot be approved.

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 "Uncharacterized," the narrative reason for separation shall remain "Fraudulent Entry," and the reentry code shall remain "2C." The DRB results were approved by the Presiding Officer on 6 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://afrbportal.azurewebsites.us>

Attachment:

Examiner's Brief (Applicant Only)