

**SUMMARY:** The Applicant was discharged on 06 May 2021 in accordance with Air Force Instruction 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, with a General Discharge for Minor infractions. 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 requested the Board be completed based on a records only review. The Board was conducted on 12 September 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 Applicant's record of service included the following documented misconduct leading up to their discharge:

- Letter of Reprimand for failure to complete End of Course exam.
- Letter of Reprimand for Disobeying a lawful order by refusing to turn in End of Course exam.
- Letter of Counseling for failure to obey a lawful order by not completing 5-skill level training requirement.

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 in all aspects of their discharge. They asserted that they had never engaged in any misconduct and had voluntarily transitioned to the Inactive Ready Reserve, partly due to an incident of abuse of authority, which they had previously reported through an official Inspector General complaint.

The DRB found the evidence the Applicant provided failed to corroborate their claims for abuse of authority. While the Applicant provided the initial Inspector General's complaint, the Applicant did not provide the results or findings from that report. Regardless, the Board determined that an upgrade of the characterization of service and narrative reason for discharge was warranted given that the Applicant's infractions were consistent with substandard (unsatisfactory) performance rather than minor infractions as described in AFI 36-3209, paragraph 3.18.6. Job Skill Proficiency. Failure to attain or maintain required job skill proficiency, either by associated inaptitude or non-application. As such, the Applicant's narrative reason will be changed to Secretarial Authority. Further, under this basis for discharge, service will be characterized as Honorable, unless the military record warrants characterization as Under Honorable Conditions (General) per the instruction. As all the Applicant's adverse action was the result of not completing his training, an Honorable service characterization was also granted.

However, the Board did not approve upgrading the reentry code due to the Applicant's failure to meet training standards and comply with leadership's corrective actions. While there were minor irregularities in the disciplinary process, they did not impact the validity of the discharge or the Applicant's inability to progress in their training. The reentry code remains appropriate as it accurately represents the Applicant's failure to meet military standards and is consistent with cases of similar substandard performance.

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.

**FINDING:** The DRB voted unanimously to **approve** the Applicant's request to upgrade their discharge characterization, and to change the discharge narrative reason, however the board unanimously to **deny** 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 inequitable. Therefore, the awarded characterization of service shall Change to "Honorable," the narrative reason for separation shall Change to "Secretarial Authority," and the reentry code shall remain "5I." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 29 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)