

SUMMARY: The Applicant was discharged on 9 May 2023 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Uncharacterized character of service for Fraudulent Entry. The Applicant appealed for a change to their narrative reason for separation and their reentry code.

The Applicant requested the Board be completed based on a records-only review. The Board was conducted on 17 October 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 DRB provided a notice to inform the service member of resources available to help answer their questions about the application process and/or to help them supplement their application, to include information on the types of evidence that can be submitted to support a claim; information regarding potential eligibility for mental health treatment and evaluation services offered by the Department of Veterans' Affairs (VA); general information regarding Veterans Service Organizations that may assist with DRB applications, and their right to retain counsel; a link to a database of legal services organizations that serve members of the military, veterans, and their families; the weblink to the VA's Directory of Veteran's Service Organizations; and information regarding reasonable accommodation requests from the DRB in the application and adjudication process.

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 without an official diagnosis by a doctor. They state they are doing better and would like another chance.

The Applicant provided the following documents in support of their claim: DD Form 214, *Certificate of Release or Discharge from Active Duty*; Talk Space Application Screenshot - Depression and Anxiety Scores.

The Applicant was self-referred in week two of basic military training and diagnosed with adjustment disorder with mixed anxiety and depressed mood (recurring) and found to be disqualified for military service. The condition was found to have existed prior to service (EPTS) as the member stated they had symptoms for the past one to two months. The Applicant received eight counseling sessions with no resolution of their symptoms and declined a waiver submission to continue in their training. Therefore, the Applicant was found to have not disclosed this information and the narrative "Fraudulent Entry" was appropriate. A review of the Applicant's administrative records also revealed the Applicant received an entry

level separation from the Navy due to poor performance.

The DRB found that the Applicant received a disqualifying mental health diagnosis and their discharge was found to be proper and equitable. The DRB did not find sufficient evidence of resolution of the Applicant's mental health conditions that would warrant a change to their discharge narrative reason for separation or reentry code.

LIBERAL CONSIDERATION: The conditions were considered to have EPTS and are not considered under the intent of liberal consideration.

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 their narrative reason for separation or 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 30 October 2024. If desired, the Applicant can request a list of the Board members and their votes by writing to:

Air Force Discharge Review Board

3351 Celmers Lane

Joint Base Andrews, MD 20762-6435

Instructions on how to appeal an AFDRB decision can be found at

<https://afrbaportal.azurewebsites.us>

Attachment:

Examiner's Brief (Applicant Only)