

SUMMARY: The Applicant was discharged on 16 June 2021 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Uncharacterized Entry Level Separation for Fraudulent Entry (Drug Abuse). The Applicant appealed for an upgrade of their 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 08 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 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 sought an upgrade of their discharge and a change of their separation code from JDT to a general code. They claimed the reported fraud was due to a memory lapse about a single instance of drug use years before enlistment, which was not repeated and had no impact on them. The Applicant requested that their reentry code be changed from 2G to 2C or 3B. They noted that they had passed all drug tests before and during basic training, never attended rehab, and were held in medical for 11 weeks without explanation before receiving an entry-level separation. They were told they could re-enlist after six months but were not informed of the reentry code's implications. Believing they could return in six months; the Applicant chose to leave after the 11-week hold. They emphasized their high-test scores and believed they would be an asset if allowed to re-enlist

The DRB determined the Applicant did not disclose prior drug use on Air Force Form 2030, omitting details about their use of LSD, Xanax, and Percocet. Although they later admitted to this, the initial failure to provide accurate information during the enlistment process represented a significant breach of the integrity expected of military personnel. Furthermore, the Applicant's statements during the discharge process contradicted their current claims. Given that LSD use remains illegal and incompatible with military service, the Board concluded that modifying the reentry code to 2C, indicating "Involuntarily separated with an honorable discharge; or entry level separation without characterization of service," was a more accurate reflection of the circumstances surrounding the Applicant's discharge.

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 but a possible impropriety.

FINDING: The DRB voted unanimously to *approve* the Applicant’s request to change the reentry code, however the Board voted unanimously to *deny* changing the discharge narrative reason.

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 remain “Uncharacterized,” the narrative reason for separation shall remain “Fraudulent Entry (Drug Abuse),” and the reentry code shall change to “2C.” The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 23 October 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, 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)

