

SUMMARY: The Applicant was discharged on 14 April 2021 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 Expiration of Enlistment. 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 20 February 2025. The Applicant was 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 they were retaliated against for requesting a powered air purifying respirator during the COVID-19 outbreak. They were subsequently not allowed to re-enlist despite an excellent service record and were separated from the Air Force. They sought relief, including correction of their records, service credit, and benefits, and requested to continue serving in the Air Force.

The Board determined that the applicant did not produce any evidence to support their request to overcome the presumption of regularity. They concluded that the Separation Code (MBK - Expiration of Enlistment) and the circumstances surrounding the shortened enlistment period were handled appropriately according to Air Force regulations. The Board operates under the "presumption of regularity," meaning they assume the Air Force acted fairly unless proven otherwise. The applicant only provided their personal statement, which isn't considered sufficient evidence. The applicant already possesses an Honorable Discharge (characterization of service) and a Reentry Code of 6B, allowing reenlistment. The Board emphasized that reenlistment is not a guaranteed right, even with prior service and an Honorable Discharge.

It should also be noted that the Board lacks the authority to grant the applicant's requests for back pay and reinstatement. These types of reliefs are typically handled by other review boards, such as the Air Force Board for Correction of Military Records (AFBCMR). Therefore, the Board has determined that the applicant's discharge status should remain as it currently stands.

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 Board voted unanimously to *deny* the Applicant’s request to change the discharge narrative reason and 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.

Instructions on how to appeal an AFDRB decision can be found at <https://afrbaportal.azurewebsites.us>

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 “Expiration of Enlistment,” and the reentry code shall remain “6B.” The DRB results were approved by the Presiding Officer on 3 March 2025. 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 20762-6435

Attachment:
Examiner's Brief (Applicant Only)

