

SUMMARY: The Applicant was discharged on 10 July 2014 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with an Entry Level Separation for Fraudulent Entry. The Applicant appealed for a change to his reentry code and his separation code.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 03 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 contended he was discharged for medical fraud for a pre-existing injury he did not know was documented in his records, therefore, he did not report it during pre-service medical screening. He claimed his discharge was unjust and he is now barred from reenlisting.

A review of the Applicant's record revealed that while attending Basic Military Training he reported to the medical clinic for knee pain caused by running, marching, and prolonged standing. During the examination the Applicant reported to the medical providers that he injured his knee prior to joining the Air Force playing sports. The Applicant admitted he did not disclose this injury at the Military Entrance Processing Station claiming that he thought it was healed. IAW DoDI 6130.03, *Medical Standards for Military Service, Appointment, Enlistment, or Induction*, paragraph 19, chronic joint pain in the knee that interferes with function or satisfactory completion of training or military duty is disqualifying for entry into the military. Based on this guidance, the medical providers determined he should not have been allowed to enlist in the military.

The DRB determined the Applicant's request for a change of re-entry code and separation code to allow for re-enlistment could not be supported due to current policies. Under DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, paragraph 19, chronic joint pain in the knee that interferes with function or satisfactory completion of training or military duty is disqualifying for entry into the military. No evidence was submitted by the applicant that the condition is resolved, therefore, the DRB opined the Applicant's discharge was appropriate.

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 his reentry code and separation code. The DRB also voted unanimously to *deny* upgrading his discharge characterization and 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 proper and equitable. Therefore, the awarded characterization of service shall remain, the narrative reason for separation shall remain, and the reentry code shall remain. The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 04 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, NAF Washington, MD 20762-6602

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

Attachment:
Examiner's Brief (Applicant Only)