

SUMMARY: The Applicant was discharged on, 30 May 2024, in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Uncharacterized discharge for an Erroneous Entry. The Applicant appealed for a change to the reentry code.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 06 March 2025. 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 stated they failed to disclose their previous use of depression medication during their assessment at the military entrance processing station (MEPS). The Applicant maintained it was an error, and not a deliberate attempt to mislead or withhold information, as they assumed full responsibility for the omission. The Applicant requested the Board to consider a change to their reentry code that would permit them to shoulder commitment and capabilities and serve as an airman to the best of their abilities.

The DRB determined the Applicant was discharged due to failing to disclose a pre-service mental health condition and pre-service mental health treatment to MEPS. The Applicant's command, at the time of the Applicant's enlistment, deemed their condition severe enough to significantly impair their ability to function effectively in the military environment. This impairment, they determined, would hinder the Applicant's potential to complete training and deploy for future assignments. A subsequent waiver request was submitted but ultimately denied. DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, stipulates that the Applicant's condition in the preceding month would have disqualified them from military service. Had the military possessed all relevant facts at the time, the

Applicant would not have been granted the opportunity to enlist. Although the DRB recognizes the Applicant's candor, the DRB found no evidence that the discharge was improper or inequitable.

LIBERAL CONSIDERATION: Due to the Applicant's contentions or evidence of a mental health diagnosis and/or experiences of sexual assault or sexual harassment and/or records documenting that one or more symptoms of mental health conditions and/or experiences of sexual assault or sexual harassment existed/occurred during military service found in the Applicant's record, the Board considered the case based on the liberal consideration (LC) standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a physician, clinical psychologist, psychiatrist or social worker with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI) or other trauma. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that Boards should consider when weighing evidence in requests for modification of discharges due in whole or in part to mental health conditions, including PTSD; TBI; sexual assault, and sexual harassment. The Board considered the following:

Liberal consideration does not apply to this applicant's request. The Applicant checked the box for "other mental health" on the application. The Applicant contended "...specifically, I failed to disclose my previous use of depression medication during MEPS. I now know the importance of full transparency in this process. This omission was not out of malice or an attempt to deceive but a mistake for which I take full responsibility for. I respectfully request that my re-entry code be reviewed and reconsidered allowing me to show my commitment and capabilities as an airman." There is no evidence the Applicant was discharged due to an in-service mental health condition, nor did the Applicant contend their discharge was due to an in-service mental health condition. The Applicant was discharged due to failing to disclose a pre-service mental health condition and pre-service mental health treatment to MEPS, this condition existed prior to service (EPTS) and thus is excluded from the intent of liberal consideration as there is no evidence (nor contention of) service aggravation.

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 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.

Instructions on how to appeal an AFDRB decision can be found at <https://afrbportal.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 "Uncharacterized," the narrative reason for separation shall remain "Erroneous Entry," and the reentry code shall remain "2C." The DRB results were approved by the Presiding Officer on 28 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)

