

SUMMARY: The Applicant was discharged on October 27, 2023 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Under Honorable Conditions (General) Service Characterization for Misconduct – (Drug Abuse). The Applicant appealed for an upgrade of their Service Characterization, a change to the Reentry Code, and a change to the Separation Code.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on April 3, 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 Applicant's record of service did not include any of the following documented misconduct leading to their discharge.

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 their discharge was unrighteous due to it resulting from a single infraction. They stated they were notified of a failed drug test and sought out their own drug screening which resulted in a negative test. They stated no official, or command sent them NGB 22 or any other documentation but instead had to retrieve it themselves. The Applicant also stated their benefits with Tricare were not terminated until February 2024 resulting in \$10K in medical bills.

The DRB determined the discharge was inequitable. The Applicant was notified in January 2023 of a pending discharge resulting from a November 2022 urinalysis. This urinalysis tested positive for THC at 82 ng/mL, well above the Air Force's 15 ng/mL cutoff. Despite this notification, the discharge order wasn't issued until February 2024—over a year later, after raising due process concerns. Because the DRB lacked the complete discharge package, it couldn't rely on the presumption of regularity. The Applicant further substantiated the delay with compelling documentation. Consequently, the DRB granted the Applicant's request to upgrade the service characterization, change the narrative reason for discharge, and modify the reentry code. However, the DRB's authority doesn't extend to resolving Tricare bill issues."

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.

FINDING AND 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. The DRB voted two to one to ***approve*** the Applicant's request. Therefore, the awarded Service Characterization shall change to "Honorable," the Narrative Reason for separation shall change to Secretarial Authority, and the Reentry Code shall change to 3K. The DRB results were approved by the Presiding Officer on July 29, 2025.

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>

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)