RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2008-03015

 INDEX CODE: 110.02

 XXXXXXXXXXXXXXX COUNSEL: NONE

 HEARING DESIRED: YES

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APPLICANT REQUESTS THAT:

His Reentry Code be changed.

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APPLICANT CONTENDS THAT:

He had medical issues while attending Basic Military Training (BMT), and when no diagnosis was made, he ended up in the emergency room. He was then sent to Behavioral Analysis Service and was subsequently separated due to anxiety, and this is now conflicting with his civilian employment. He had no medical problems prior to entering BMT and has had none since.

Applicant’s complete submission is at Exhibit A.

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STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 17 July 2007. While attending Air Force BMT, he was notified on 8 August 2007 of his commander’s intention to recommend him for an Entry Level Separation due to a condition that interferes with military service; specifically mental disorders. The commander stated the reason for the proposed discharge was the applicant’s diagnosis (specific diagnosis was Adjustment Disorder with anxious mood) by the Department of Mental Health at Wilford Hall Medical Center of having a mental disorder as contained in the Diagnostic and Statistical Manual of Mental Disorders, and that his condition interferes with duty performance and his conduct was severe enough that his ability to function in the military was significantly impaired. The commander advised the applicant of his rights and he waived his right to consult counsel and submit statements in his behalf on 8 August 2007. A legal review was conducted and the Assistant Staff Judge Advocate recommended the applicant be separated with an Entry Level Separation on 9 August 2007.

The applicant was discharged on 14 August 2007 in the grade of airman basic (E-1), with an uncharacterized entry level separation. He was given a Separation Code of “JFX” (Personality Disorder), a Reentry Code of “2C” (Involuntarily separated…entry level separation without characterization of service), and a Narrative Reason for Separation of “Personality Disorder.” He completed a total 28 days of active service.

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AIR FORCE EVALUATION:

AFPC/DPSOA recommends denial of the applicant’s request to change his Reentry Code; however, they support a more favorable Narrative Reason for Separation which would support his overall desire to seek employment outside the Air Force.

The complete AFPC/DPSOA evaluation is at Exhibit C.

AFPC/DPSOS recommends the applicant’s Separation Code be changed to “JFY” (Adjustment Disorder (No Board Entitlement)) and his Narrative Reason for Separation be changed to “Adjustment Disorder.”

A review of the applicant’s records reveals there was an error in his separation record in that he was incorrectly discharged from the Air Force with a Separation Code of “JFX” and a Narrative Reason for Separation of “Personality Disorder.” This does not infer that his separation from the Air Force was unjust or improper; rather, the Separation Code entered on his DD Form 214 is incorrect. Since the applicant was diagnosed with an Adjustment Disorder with anxious mood, his DD Form 214 should have reflected a Separation Code of “JFY” and a Narrative Reason for Separation of “Adjustment Disorder.”

Airmen are given entry-level separation/uncharacterized service characterization when separation is initiated in the first 180 days of continuous active service. The Department of Defense (DoD) determined if a member served less than 180 days of continuous active service, it would be unfair to the member and the service to characterize their limited service. Therefore, the uncharacterized character of service is correct and in accordance with DoD and Air Force instructions.

The complete AFPC/DPSOS evaluation is at Exhibit D.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Complete copies of the AFPC/DPSOA and AFPC/DPSOS evaluations were forwarded to the applicant on 21 November 2008, for review and comment, within 30 days. However, as of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Sufficient relevant evidence has been presented to demonstrate the existence of error or injustice to warrant changing the applicant’s Separation Code to “JFY” (Adjustment Disorder (No Board Entitlement)) and his Narrative Reason for Separation to “Adjustment Disorder.” After reviewing the evidence of record, it appears the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority. However, since the applicant was diagnosed with an Adjustment Disorder with anxious mood, rather than a Personality Disorder, we agree with the Air Force office of primary responsibility that his DD Form 214 should be corrected as indicated below.

4.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice to warrant changing the applicant’s Reentry Code. We took notice of the applicant's complete submission in judging the merits of the case; however, it does not persuade us that at the time of his separation, the Reentry Code assigned was not appropriate. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend favorable consideration of this portion of his application as the Reentry Code assigned appropriately identifies his entry level performance.

5.  The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

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THE BOARD RECOMMENDSTHAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that at the time of his discharge on 14 August 2007, he was issued a Separation Code of “JFY” and a Narrative Reason for Separation of “Adjustment Disorder.”

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The following members of the Board considered Docket Number BC-2008-03015 in Executive Session on 11 February 2009, under the provisions of AFI 36-2603:

 Mr. Michael J. Novel, Panel Chair

 Ms. Debra M. Czajkowski, Member

 Mr. Anthony P. Reardon, Member

The following documentary evidence was considered in BC-2008-03015:

 Exhibit A. DD Form 149, dated 14 Aug 08.

 Exhibit B. Applicant's Available Master Personnel Records.

 Exhibit C. Letter, AFPC/DPSOA, dated 27 Aug 08.

 Exhibit D. Letter, AFPC/DPSOS, dated 28 Oct 08.

 Exhibit E. Letter, SAF/MRBR, dated 21 Nov 08.

 MICHAEL J. NOVEL

 Panel Chair

AFBCMR BC-2008-03015

MEMORANDUM FOR THE CHIEF OF STAFF

 Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

 The pertinent military records of the Department of the Air Force relating to XXXXXXXXXXXXXX, be corrected to show that at the time of his discharge on 14 August 2007, he was issued a Separation Code of “JFY” and a Narrative Reason for Separation of “Adjustment Disorder.”

 JOE G. LINEBERGER

 Director

 Air Force Review Boards Agency