

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00378

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

The character of discharge on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed from uncharacterized to honorable.

APPLICANT CONTENDS THAT:

He was discharged from the military for a disability incurred in the line of duty. His discharge was characterized as uncharacterized; therefore he was denied all benefits. He feels as though his discharge was inequitable because it was based on one isolated incident with no other adverse action.

He was always told that he didn't qualify for benefits but didn't know why. He went to school on his own and went on with his life always wondering why. He felt like the military left him on his own.

The applicant did not submit any documents in support of his request.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 3 April 2007. On 21 May 2007, his commander notified him that he was recommending him for discharge under the provisions of Air Force Policy Directive (AFPD) 36-32, *Military Retirements and Separations* and Air Force Instruction (AFI) 36-3208 *Administrative Separation of Airmen, Chapter 5, Section C, Defective Enlistment*, paragraph 5.14 under Basis for Discharge for Erroneous Enlistment. The specific reason for the discharge recommendation was the applicant did not meet the minimum medical standards to enlist and should not have been allowed to join the Air Force because of asthma. On 21 May 2007, the applicant acknowledged receipt of the commander's intent to

discharge him and waived his right to consult counsel and submit statements on his own behalf.

Subsequent to the file being found legally sufficient the discharge authority approved the recommendation and directed the applicant be discharged with an entry-level separation. The applicant was discharged effective 29 May 2007, with an entry-level separation, uncharacterized character of service and was credited with 1 month and 27 days of active duty service.

AIR FORCE EVALUATION:

AETC/SGPS recommends denial. SGPS states at the time of the separation the process was in accordance with established policy and administrative procedures. Since the applicant does not meet the current medical waiver criteria for military duty they do not support his request.

The complete AETC/SGPS evaluation is at Exhibit C.

AFPC/DPSOS recommends denial. DPSOS states the applicant's service characterization is correct as reflected on his DD Form 214. Airmen are given entry-level separation/uncharacterized service characterization when separation is initiated in the first 180 days continuous active service. The Department of Defense (DoD) determined if a member served less than 180 days continuous active service, it would be unfair to the member and the service to characterize their limited service. Therefore, the uncharacterized character of service on the DD Form 214 is correct and in accordance with DoD and Air Force instructions.

The complete AFPC/DPSOS evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 18 May 2012 for review and comment within 30 days (Exhibit E). To date, this office has not received a response.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force offices of primary responsibility and adopt their rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application BC-2012-00378 in Executive Session on 21 August 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 26 January 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AETC/SGPS, dated 3 March 2012.
- Exhibit D. Letter, AFPC/DPSOS, dated 25 April 2012.
- Exhibit E. Letter, SAF/MRBR, dated 18 May 2012.

Panel Chair