

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00460  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His reason for leaving the Air National Guard (ANG) be changed to reflect that he left for "physiological reasons {sic}."

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APPLICANT CONTENDS THAT:

He was granted service-connection for major depression by the Department of Veterans Affairs (DVA) and assigned a disability rating of 50 percent. Subsequently, it was increased to 70 percent.

In support of his request, the applicant provides copies of his medical records, DVA decision memorandum and VA Form 10-5345, *Request and Authorization to Release Medical Records or Health Information*.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

On 5 May 83, the applicant enlisted in the Regular Air Force and was discharged on 1 Oct 92 and transferred to another service component under the Early Release Program. He served 9 years, 4 months and 26 days of total active service.

The applicant was mobilized from 10 Feb 03 to 14 Feb 08 in support of Operation ENDURING FREEDOM. He served in support of this Operation during the following periods: 10 Feb 03 to 7 Aug 03; 3 Oct 03 to 29 Sep 04; 1 Oct 04 to 15 Sep 06; 20 Oct 06 to 30 Sep 07 and 15 Dec 07 to 14 Apr 08.

On 18 Mar 08, ARPC/DPPR notified the applicant of his eligibility for retired pay at age 60 under the provisions of Title 10, United States Code (U.S.C.), section 12731.

On 24 Dec 09, the applicant was relieved from his assignment at ARPC/NARS-A, Denver, Colorado and assigned to the Retired

Reserve Section, placing him on the Retired Reserve List effective 27 Sep 10.

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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. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. It appears the applicant believes the Department of Veterans Affairs (DVA) decision to award him a 50 percent disability rating and subsequently increasing it to 70 percent for major depression, substantiates that his reason for leaving the ANG should have been for psychological reasons due to said diagnosis. However, after a thorough review of the evidence of record and the applicant's complete submission, we are not persuaded that he should have been found unfit for continued military service and furnished a disability separation. In this respect, we note the military service disability evaluation system can only offer compensation for those service incurred diseases or injuries which specifically rendered a member unfit for continued military service and were the cause for career termination. However, other than his own assertions, the applicant has not provided sufficient evidence that his medical condition, while service connected by the DVA, rendered him unfit for continued military service at the time of his separation. He has provided no evidence to indicate that his major depression precluded him from performing his military service and should have, therefore, been the basis of a finding that he was unfit. With respect to the applicant's suggestive statements of maltreatment by military and or DVA officials, the applicant is advised that a review by the Inspector General or one initiated by the commander of his servicing military medical treatment facility is the appropriate venue to validate and address his allegations. Therefore, we conclude that the applicant has failed to sustain his burden of proof that he has been the victim of an error or injustice. In view of the above and in the absence of evidence to the contrary we find no basis to recommend granting the relief sought in this application.

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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.

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The following members of the Board considered AFBCMR Docket Number BC-2012-00460 in Executive Session on 11 Dec 12, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 27 Jan 12, w/atchs.  
Exhibit B. Applicant's Master Personnel Records

Panel Chair