

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00686
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. Her reentry (RE) code of 2C, which denotes "Involuntary separation with an honorable discharge; or entry-level separation without characterization of service" be changed.
 2. Her narrative reason for separation and separation code "Conditions that Interfere with Military Service - Not Disability" be changed.
 3. Her records reflect she served four years of active duty service and was separated normally.
-

APPLICANT CONTENDS THAT:

1. Her discharge under AFR 39-10, *Administrative Separation of Airmen* was directed by a commander who bullied and pushed her because she was prejudiced towards her interracial marriage.
2. Her commander did not like her; carried out her prejudice through her position of power; and pushed her so hard until she broke and was discharged under AFR 39-10.
3. She suffered from depression but not to the point where she should have been discharged.

In support of her request, the applicant provides copies of Standard Form 600, *Chronological Record of Medical Care*; AF Form 422, *Physical Profile Serial Report*, and a personal statement.

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

STATEMENT OF FACTS:

On 6 October 1989, the applicant enlisted in the Regular Air Force.

On 15 Oct 91, the applicant was diagnosed with an Adjustment Disorder with Mixed Disturbance of Emotion and Conduct; Occupation Problem; and Mixed Personality Traits with Histrionic

and Narcissistic Features by the Mental Health Services. Because of her diagnosis, she no longer had the capacity to adapt to military standards.

On 29 Oct 91, the applicant was notified of her commander's intent to recommend that she be discharged from the Air Force under the provisions of AFR 39-10, for Conditions that Interfere with Military Service, specifically, Mental Disorders. The applicant acknowledged receipt of the notification of discharge, consulted with counsel and submitted a statement on her own behalf.

On 27 Nov 91, the case file was determined to be legally sufficient to warrant discharge. The discharge authority approved her discharge and directed an honorable discharge, without the offer of probation and rehabilitation.

On 4 Dec 91, the applicant was discharged from the Air Force in the grade of airman first class with an honorable discharge, in accordance with AFR 39-10, (Conditions that Interfere with Military Service). She served 2 years, 1 month and 29 days of total active service.

On 5 Mar 96, the AFBCMR considered the applicant's request that her honorable discharge be set aside and she be reinstated to active duty with back pay. On 10 Apr 96, the applicant's records were corrected to show that on 4 Dec 91, she was honorably discharged under the provisions of AFR 39-10, (Conditions that Interfere with Military Service - Not Disability), rather than Conditions that Interfere with Military Service - Not Disability- Character and Behavior and issued a Separation Program Designator (SPD) of JFV.

Although the Board determined that her narrative reason for separation was in error, they found insufficient evidence to warrant reinstating the applicant to active duty, and therefore, denied her request.

AIR FORCE EVALUATION:

HQ AFPC/DPSOS recommends denial of the applicant's request to change her narrative reason for separation and separation code. DPSOS states that based on documentation on file in the applicant's master personnel records, the applicant's discharge to include the narrative reason for separation and separation code was consistent with the procedural and substantive requirements of the discharge instruction and was within the discretion of the discharge authority.

The complete DPSOS evaluation is at Exhibit C.

HQ AFPC/DPSOA recommends denial of the applicant's request to change her RE code. DPSOA states the applicant's RE code 2C is required per AFI 36-2606, *Reenlistments in the United States Air Force*, based on her involuntary discharge with an honorable character of service.

DPSOA states the applicant did not provide proof of an error or injustice pertaining to her RE code, but states her commander did not like her and carried out prejudice against her.

The complete DPSOA evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 8 Jun 12 for review and comment within 30 days (Exhibit E). As of this 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 timely 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 opinions and recommendations 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 view of the above and in the absence of evidence to the contrary, we find no basis upon which to recommend granting the relief sought.

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 AFBCMR Docket Number BC-2012-00686 in Executive Session on 13 Sep 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 9 Feb 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOS, Letter, dated 23 Apr 12.
- Exhibit D. Letter, AFPC/DPSOA, dated 21 May 12.
- Exhibit E. Letter, SAF/MRBR, dated 8 Jun 12.

Panel Chair