

## **ADDENDUM TO RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2004-01539

XXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** YES

### **APPLICANT'S REQUEST**

The Board reconsider his request to upgrade his dishonorable discharge to an honorable discharge.

In addition, the applicant requests his official military personnel record be amended to:

- a. Restore his grade to master sergeant (E-7).
- b. Award retroactive pay and allowances and promotions.
- c. Award disability benefits for approved service-connected and nonservice-connected injuries.

### **RESUME OF THE CASE**

The applicant is a former Air Force airman basic (E-1).

On 17 Nov 04, the Board considered and denied his request to upgrade his dishonorable discharge to an honorable discharge finding the applicant had provided insufficient evidence of an error or injustice to justify relief. Additionally, in view of the seriousness of the offenses committed, the Board was not persuaded an upgrade of his service characterization was warranted on the basis of clemency.

For an accounting of the applicant's original request and the rationale of the earlier decision, see the AFBCMR Letter and Record of Proceedings at Exhibit E.

On 3 Aug 23, the applicant requested reconsideration of his request to upgrade his dishonorable discharge to an honorable discharge. He again contends, prior to his court-martial, his service was exemplary and the whole trial was a misrepresentation and mischaracterization of the facts of the case. The applicant reiterated his belief the service characterization was too harsh and the length of confinement unfair for the crime committed. In addition, the applicant requests restoration of his grade to master sergeant (E-7), retroactive pay and allowances and promotions, and award of disability benefits for service-connected and nonservice-connected injuries. He contends during the period prior to his retirement eligibility, he was suffering from extreme emotional depression from previous traumatic events and mental health issues triggered by a tumultuous marriage relationship with his ex-wives, stepchildren, and past deaths of his father, son, co-workers, friends, and others during his time on active duty. He did not tell his superiors he was suffering from a mental ailment, Post-Traumatic Stress Disorder (PTSD), and that he needed counseling as it was something you did not do if you wanted to continue your career.

The traumatic events referenced by the applicant include learning his spouse was having an affair and had an abortion. In Jan 78, his father passed away suddenly, and five months later, his 5-year-old son was killed by a drunk driver. He and his wife sought mental health counseling where she was diagnosed with Bipolar Disorder. Later, he experienced death again after

assisting an unconscious man outside the Wilford Hall medical clinic, providing cardiopulmonary resuscitation until the emergency medical services personnel arrived. The applicant learned the man did not recover and it took him a few days to process what happened. He was constantly replaying the events wondering if he could have done more to save the man's life.

In Jan 79, while on his second remote assignment, a respected noncommissioned officer committed suicide and there was speculation it was marriage-related. The applicant wrote to his spouse and learned she was seeing a fire fighter where she worked. They later divorced. From Aug 83 – 85, the applicant experienced difficulty with his new spouse and stepchildren. Their relationship became strained, and he later found his new spouse had participated in an orgy. Due to his stepson's numerous misdeeds, it was recommended he attend mental health counseling; however, the applicant was not told of the results. The stepson's unstable behavior prevented him from accompanying the applicant to his next assignment in Japan. His spouse did not have a favorable view of the Air Force by this time, and realizing the applicant's devotion to the Air Force, she threatened to destroy his career. While stationed at McChord Air Force Base, his 7-year-old son almost drowned when he was left unsupervised by his spouse, who drank every day and blamed her misery on him because he was in the military. The applicant's stepchildren were constantly in trouble on and off base. The stepchildren began selling drugs, his stepson was charged with rape, his stepdaughter got pregnant out-of-wedlock and later lost the baby to Sudden Infant Death Syndrome while they were living in base housing.

Per the applicant, while in pre-trial confinement, he was constantly threatened with physical abuse by the corrections officers because he was in the Air Force. He was made to stand, and not sit on his bed, for eight hours a day, except when he had meals. He was not allowed to socialize with the other inmates, was treated inhumanely, and abandoned by his superiors. He was treated worse than a dog. When the applicant had visitation, he was handcuffed with leg chains on, and it was humiliating and shocking to his 8-year-old son. It has been almost 30 years, and the applicant has not received clemency, an upgraded discharge, or any type of help. It is time for him to receive what he deserves, forgiveness and the ability to live as a retired veteran. He has been stigmatized for years by the dishonorable discharge. For decades, he suffered from evictions, unemployment, and lack of necessary healthcare. He was constantly dependent on food stamps, and at times was homeless and depressed. In Feb 23, the applicant decided to investigate a PTSD diagnosis and he experienced all the symptoms. He realized the traumatic events that affected his mental health began with the untimely deaths of his father and son, and progressed with numerous toxic and abusive relationships while he was on active duty. He is truly remorseful. The applicant stated he made bad decisions because he did not know he was dealing with a dangerous mental health issue. He accepts complete and total responsibility for his actions. The applicant is currently seeing a counselor and family therapist who has been a positive influence on his continued sobriety and assistance with his PTSD.

The applicant provided a detailed summary of his military service, to include assignments, recognition, and off-duty community service. Further, he provided post-confinement college achievements and information regarding his current employment.

In support of his reconsideration request, the applicant submitted the following new evidence: (1) Under Secretary of Defense for Personnel and Readiness (USD P&R) Memorandum, Subject: Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations (Wilkie Memo), dated 25 Jul 18; (2) Department of Veterans Affairs (DVA) National Cemetery Website Information; (3) Character References; and (4) Certificate of Appreciation.

The applicant's complete submission is at Exhibit F.

## STATEMENT OF FACTS

On 24 Oct 92, according to AF Form 2098, *Duty Status Change*, the applicant's duty status changed from Present for Duty to Deserter.

On 26 Oct 92 at 1230 hours, according to AF Form 2098, the applicant's duty status changed from Deserter to Present for Duty.

On 26 Oct 92 at 1530 hours, according to AF Form 2098, the applicant's duty status changed from Present for Duty to Pre-Trial Confinement.

On 23 May 93, according to General Court-Martial Order (GCMO) Number XX, dated 30 Aug 93, a court-martial was convened, and the applicant was arraigned on the following charges:

- Charge I: Article 112a. Plea: NG. Finding: G.
  - Specification: [The applicant] did, between on or about 20 Mar 92 and on or about 30 Mar 92, wrongfully use cocaine. Plea: NG. Finding: G.

- Additional Charge I: Article 81. Plea: NG. Finding: G.
  - Specification: [The applicant] did, on or about 21 Oct 92, conspire with [XX] to distribute cocaine. Plea: NG. Finding: G, except the words "gave a paging device to [XX] in order to facilitate telephone contact between [XX], [XX], and others interested in the purchase of cocaine, and" of the excepted words, NG.

- Additional Charge II: Article 112a. Plea: NG. Finding: G.
  - Specification 1: [The applicant] did, on divers occasions, between on or about 1 Aug 92 and on or about 26 Oct 92, wrongfully use cocaine. Plea: NG. Finding: G.
  - Specification 2: [The applicant] did, on divers occasions, between on or about 1 Aug 92 and on or about 20 Oct 92, wrongfully possess some quantity of cocaine. Plea: NG. Finding: G.
  - Specification 3: [The applicant] did, on divers occasions, between on or about 1 Aug 92 and on or about 21 Oct 92, wrongfully possess some quantity of heroin. Plea: NG. Finding: NG.
  - Specification 4: [The applicant] did, on or about 21 Oct 92, wrongfully distribute some quantity of cocaine. Plea: NG. Finding: G.

- Additional Charge III: Article 86. Plea: NG. Finding: G.
  - Specification: [The applicant] was, AWOL [Absent without Leave] from on or about 23 Oct 92 until apprehended on or about 26 Oct 92. Plea: NG. Finding: G.

- Additional Charge IV: Article 90. Plea: NG. Finding: G.
  - Specification: [The applicant] did, on or about 23 Oct 92 willfully violate the lawful command of his superior commissioned officer. Plea: NG. Finding: G.

The applicant was sentenced to a dishonorable discharge, confinement for 15 years, and reduction to airman basic (E-1). On this same day, according to AF Form 2098, the applicant's duty status changed from Pre-Trial Confinement to Confinement.

On 11 Aug 97, according to GCMO Number XX, the applicant's sentence to a dishonorable discharge, confinement for 15 years, and reduction to airman basic (E-1), as promulgated in GCMO Number XX, dated 30 Aug 93, has been finally affirmed. Article 71(c) having been complied with, the dishonorable discharge will be executed. The sentence was adjudged on 23 May 93.

On 15 Aug 97, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was furnished a dishonorable discharge, with Narrative Reason for Separation: Court-Martial (Other), and was credited with 21 years, 6 months, 5 days active service, with dates of lost time: 26 Oct 92 through 7 Dec 95.

On 28 Mar 24, according to a DVA Rating Decision letter, provided by the applicant, he was granted service-connection for PTSD (claimed as PTSD, insomnia, depression) with an evaluation of 70 percent, effective 23 Feb 23.

## **POST-SERVICE INFORMATION**

On 15 Apr 24, the Board sent the applicant a request for post-service information and advised the applicant he was required to provide a Federal Bureau of Investigation (FBI) Identity History Summary Check, which would indicate whether or not he had an arrest record. In the alternative, the applicant could provide proof of employment in which background checks are part of the hiring process (Exhibit H). The applicant replied on 18 Apr 24 and provided an FBI report. According to the report, the applicant received supervised release from Federal Correctional Institution Leavenworth on 30 Jan 98 and was placed on probation in San Antonio, Texas. On 30 May 02, the applicant was arrested and charged with parole violation. On 28 Aug 02, the applicant's supervised release was revoked. On 20 Nov 03, the applicant was paroled. The applicant also provided a personal statement, DVA decision documents, and character statements.

The applicant's complete response is at Exhibit I.

## **APPLICABLE AUTHORITY/GUIDANCE**

On 3 Sep 14, the Secretary of Defense issued a memorandum providing guidance to the Military Department Boards for Correction of Military/Naval Records as they carefully consider each petition regarding discharge upgrade requests by veterans claiming PTSD. In addition, time limits to reconsider decisions will be liberally waived for applications covered by this guidance.

On 25 Aug 17, the Under Secretary of Defense for Personnel and Readiness (USD P&R) issued clarifying guidance to Discharge Review Boards and Boards for Correction of Military/Naval Records considering requests by veterans for modification of their discharges due in whole or in part to mental health conditions [PTSD, Traumatic Brain Injury (TBI), sexual assault, or sexual harassment]. Liberal consideration will be given to veterans petitioning for discharge relief when the application for relief is based in whole or in part on the aforementioned conditions.

Under Consideration of Mitigating Factors, it is noted that PTSD is not a likely cause of premeditated misconduct. Correction Boards will exercise caution in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct. Liberal consideration does not mandate an upgrade. Relief may be appropriate, however, for minor misconduct commonly associated with the aforementioned mental health conditions and some significant misconduct sufficiently justified or outweighed by the facts and circumstances.

Boards are directed to consider the following main questions when assessing requests due to mental health conditions including PTSD, TBI, sexual assault, or sexual harassment:

- a. Did the veteran have a condition or experience that may excuse or mitigate the discharge?
- b. Did that condition exist/experience occur during military service?
- c. Does that condition or experience actually excuse or mitigate the discharge?

d. Does that condition or experience outweigh the discharge?

On 25 Jul 18, the Under Secretary of Defense for Personnel and Readiness (USD P&R) issued supplemental guidance, known as the Wilkie Memo, to military corrections boards in determining whether relief is warranted based on equity, injustice, or clemency. These standards authorize the board to grant relief in order to ensure fundamental fairness. Clemency refers to relief specifically granted from a criminal sentence and is a part of the broad authority Boards have to ensure fundamental fairness. This guidance applies to more than clemency from sentencing in a court-martial; it also applies to any other corrections, including changes in a discharge, which may be warranted on equity or relief from injustice grounds. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. Each case will be assessed on its own merits. The relative weight of each principle and whether the principle supports relief in a particular case, are within the sound discretion of each Board. In determining whether to grant relief on the basis of equity, an injustice, or clemency grounds, the Board should refer to paragraphs 6 and 7 of the Wilkie Memo.

On 4 Apr 24, the Under Secretary of Defense for Personnel and Readiness issued a memorandum, known as the Vazirani Memo, to military corrections boards considering cases involving both liberal consideration discharge relief requests and fitness determinations. This memorandum provides clarifying guidance regarding the application of liberal consideration in petitions requesting the correction of a military or naval record to establish eligibility for medical retirement or separation benefits pursuant to 10 U.S.C. § 1552. It is DoD policy the application of liberal consideration does not apply to fitness determinations; this is an entirely separate Military Department determination regarding whether, prior to "severance from military service," the applicant was medically fit for military service (i.e., fitness determination). While the military corrections boards are expected to apply liberal consideration to discharge relief requests seeking a change to the narrative reason for discharge where the applicant alleges combat- or military sexual trauma (MST)-related PTSD or TBI potentially contributed to the circumstances resulting in severance from military service, they should not apply liberal consideration to retroactively assess the applicant's medical fitness for continued service prior to discharge in order to determine how the narrative reason should be revised.

Accordingly, in the case of an applicant described in 10 U.S.C. § 1552(h)(1) who seeks a correction to their records to reflect eligibility for a medical retirement or separation, the military corrections boards will bifurcate its review.

First, the military corrections boards will apply liberal consideration to the eligible Applicant's assertion that combat- or MST-related PTSD or TBI potentially contributed to the circumstances resulting in their discharge or dismissal to determine whether any discharge relief, such as an upgrade or change to the narrative reason for discharge, is appropriate.

After making that determination, the military corrections boards will then separately assess the individual's claim of medical unfitness for continued service due to that PTSD or TBI condition as a discreet issue, without applying liberal consideration to the unfitness claim or carryover of any of the findings made when applying liberal consideration.

On 15 Apr 24 and 6 Jun 24, Board staff provided the applicant copies of the liberal consideration guidance (Exhibits H and L).

Department of the Air Force Instruction (DAFI) 36-3211, *Military Separations*, describes the authorized service characterizations.

**Honorable.** The quality of the airman's service generally has met Department of the Air Force standards of acceptable conduct and performance of duty or when a member's service is otherwise so meritorious that any other characterization would be inappropriate.

**General (Under Honorable Conditions).** If an airman's service has been honest and faithful, this characterization is warranted when significant negative aspects of the airman's conduct or performance of duty outweigh positive aspects of the member's military record.

**Under Other than Honorable Conditions.** This characterization is used when basing the reason for separation on a pattern of behavior or one or more acts or omissions that constitute a significant departure from the conduct expected of members. The member must have an opportunity for a hearing by an administrative discharge board or request discharge in lieu of trial by court-martial. Examples of such behavior, acts, or omissions include but are not limited to:

The use of force or violence to produce serious bodily injury or death.

Abuse of a special position of trust.

Disregard by a superior of customary superior - subordinate relationships.

Acts or omissions that endanger the security of the United States.

Acts or omissions that endanger the health and welfare of other members of the DAF.

Deliberate acts or omissions that seriously endanger the health and safety of other persons.

Rape, sexual assault, aggravated sexual contact, abusive sexual contact, rape of a child, sexual abuse of a child, sexual harassment, and attempts to commit these offenses.

## **AIR FORCE EVALUATION**

The AFRBA Psychological Advisor finds insufficient evidence to support the applicant's request for the desired changes to his records based on his mental health condition.

This advisory is limited to the applicant's mental health condition. The applicant was convicted at a general court-martial for wrongful use of cocaine on numerous occasions, possession of a controlled substance, conspiring to distribute cocaine, distributing cocaine, being AWOL for about three days until he was apprehended, and violating a lawful command. He did not clearly or directly address any of these convicted offenses in his statement. The applicant implied his mental health condition, specifically PTSD, developed from his traumatic and stressful experiences from numerous deaths and marital and family problems, caused him to make a bad decision. He did not clarify his bad decision, but his records reflect he had engaged in several acts of misconduct and not necessarily made one bad decision. There is no evidence or records the applicant had any mental health conditions, including PTSD, or a similar condition during service. He claimed he experienced extreme depression and PTSD symptoms such as having recurring thoughts about his traumatic experiences, but no records exist to corroborate these claims. It is plausible he may have a mental health condition developed from his numerous traumatic experiences that he was unaware of, or not diagnosed with, at the time of service but again, there is no evidence to support this impression. The applicant may have had a delayed onset of PTSD in which his symptoms had developed and progressed over the years causing him to be diagnosed with this condition decades after service. He had substance abuse problems during service, and this is an unsuiting condition for military service. It was implied in his statement he may have coped with substances, which may explain his cocaine use and/or possession but does not excuse or mitigate these misconducts. Cocaine is a serious and illicit drug and with the applicant being a senior noncommissioned officer with almost 20 years of military service, he was more than likely well aware of the Air Force's zero-tolerance drug policy and that this type of drug use is inappropriate for a service member no matter the circumstances. Furthermore, he was convicted of conspiring to distribute cocaine and with distributing cocaine. These types of behaviors and misconduct are premeditated behaviors that require planning and are not excused or mitigated by his mental health condition. These types of

activities invoke mental effort to plan and execute and thus, the applicant knew what he was doing at the time and could have stopped himself but did not do so. There is no evidence or records substantiating he had a mental health condition impairing his judgment at the time any of these misconducts had occurred. The applicant was also AWOL for a few days until he was apprehended. Again, he did not discuss his AWOL in his statement and there is no evidence or record that his mental health condition caused him to be AWOL. Being AWOL until he was apprehended is a serious offense and is not outweighed or mitigated by his mental health condition. The applicant provided no explanation for disobeying a command and there is no evidence this misconduct was caused by his mental health condition. The applicant was service-connected by the DVA for PTSD almost 30 years after his discharge from service. Receiving service-connection from the DVA does not indicate or suggest causation or mitigation of his discharge but that this designation was somehow connected to his military service and not necessarily his reason for discharge. The benefit of the doubt is given to the applicant that it is possible his mental health condition developed by his numerous traumatic experiences may have caused some of his misconduct but did not cause the majority and his more serious misconducts and offenses. His acts of misconduct resulting in his court-martial conviction were too serious and could not excuse or mitigate his discharge even by his mental health condition. The applicant's testimony was found to be insufficient and not compelling to support his requests. After an exhaustive review of the available records, this psychological advisor finds no error or injustice with the applicant's discharge from service from a mental health perspective.

Liberal consideration is applied to the applicant's petition due to the contention of having a mental health condition. It is reminded liberal consideration does not mandate an upgrade per policy guidance. The following are answers to the four questions from the Kurta Memorandum from the available records for review:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

The applicant contended he experienced traumatic and stressful experiences from numerous deaths and marital and family problems and alluded to making a bad decision during service. He believes he had PTSD from these experiences.

2. Did the condition exist, or experience occur, during military service?

There is no evidence or records the applicant's mental health condition of PTSD had existed or occurred during his military service. There are no records he received any mental health treatment, evaluation, or mental disorder diagnosis while he was performing duties as an active duty service member. The applicant attended and received group counseling during confinement and his group notes reported he had problems with alcohol and drugs and that his drug use caused his marital problems. There was no mental disorder diagnosis documented in any of his group notes and he did not complain of having any mental health conditions or symptoms, including PTSD, anxiety, depression, etc. during group or to his providers.

3. Does the condition or experience actually excuse or mitigate the discharge?

The benefit of the doubt is given to the applicant that his mental health condition, developed from his numerous traumatic and stressful experiences, may have caused him to cope with substances, but his mental health condition does not excuse or mitigate his misconduct and discharge. The applicant's misconducts, including premeditated behaviors, were serious, resulting in his conviction at a general court-martial, and could not be excused or mitigated by his mental health condition.

4. Does the condition or experience outweigh the discharge?

Since his mental health condition does not excuse or mitigate his discharge, his condition also does not outweigh his original discharge.

The complete advisory opinion is at Exhibit J.

## **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 6 Jun 24 for comment (Exhibit K), and the applicant replied on 22 Jun 24. In his response, the applicant contended he submitted this application to request clemency and correction of his military records, not to re-litigate his court-martial charges. He accepted complete responsibility and is very remorseful for his actions that led to the dishonorable discharge. He was placed in pre-trial confinement for approximately 10 months and was not granted the opportunity to offer a rebuttal argument on his behalf for any of the claims filed against him, so the true story was never told. Some of the prosecution witnesses who presented testimony were under duress, and others were paid to say what the prosecution wanted them to say, having been previously arrested and promised a reduced sentence. All of them perjured themselves while on the witness stand. The applicant's charges are a known fact, there was no violence, he did not assault anyone, there was no weapon, nor did he kill anyone. He has never been arrested by civilian authorities, nor has he had an Article 15 or any type of nonjudicial punishment while serving on active duty. The applicant believes now is the time for healing, restoration, and redemption.

Per the applicant, he has suffered from PTSD for years and had to live with the pain and suffering of this disease not knowing who to ask for help, and what to ask for. After being released from incarceration in 1998, he visited the DVA asking for help and was denied because of the character of his discharge. He was also denied civilian help. After learning about PTSD, he appealed to the DVA and was finally heard by a DVA representative who knew what he was going through. The applicant has now been diagnosed with PTSD by the DVA and awarded a 70 percent rating.

The applicant again summarized his military and community service, and stated he is honored to have had the opportunity to make an impact on someone while being a proud member of the Air Force.

The applicant's complete response is at Exhibit M.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed. Given the requirement for passage of time, all discharge upgrade requests under fundamental fairness or clemency are technically untimely. However, it would be illogical to deny a discharge upgrade application as untimely, since the Board typically looks for over 15 years of good conduct post-service. Therefore, the Board declines to assert the three-year limitation period established by Title 10, United States Code § 1552(b).

2. The applicant exhausted all available non-judicial relief before applying to the Board.

3. After reviewing all Exhibits, the Board remains unconvinced the evidence presented demonstrates an error or injustice. The Board concurs with the rationale of the AFRBA Psychological Advisor and finds a preponderance of the evidence does not substantiate the applicant's contentions. There is no evidence the applicant's mental health condition of PTSD existed or occurred during his military service. There are no records he received any mental health treatment, evaluation, or mental disorder diagnosis while he was performing duties as an active duty service member. The applicant attended and received group counseling during confinement, and his group notes reported he had problems with alcohol and drugs, and that his drug use caused his marital problems. There was no mental disorder diagnosis documented in his group notes, and the applicant did not complain of any mental health conditions or symptoms, including PTSD, anxiety, or depression during group or to his providers. As the



applicant was never diagnosed with an unfitting condition during military service, disability processing and benefits through the Air Force Disability Evaluation System are not appropriate. Liberal consideration was applied; however, the applicant's mental health condition does not excuse or mitigate his discharge.

Further, it appears the discharge was consistent with the substantive requirements of the discharge regulation and was within the court-martial authority's discretion. Nor was the discharge unduly harsh or disproportionate to the offenses committed; therefore, there is no justification to support restoration of the applicant's grade of master sergeant or award of retroactive pay, allowances, and promotions. While the applicant stated it was not his intent to re-litigate his court-martial, he attempts to do just that with contentions regarding witness testimony. This Board concurs with previous findings that his arguments are not sufficiently persuasive to override the rationale provided by the AFLSA/JAJM advisory opinion, dated 25 Aug 04, and rendered in the original hearing of this case. In the interest of justice, the Board considered upgrading the discharge based on clemency; however, given the evidence presented, the multiple acts of premeditated misconduct, the serious nature of the charges, and criminal history provided by the applicant, the Board finds no basis to do so. Therefore, the Board recommends against correcting the applicant's record.

4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

## **RECOMMENDATION**

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

## **CERTIFICATION**

The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2004-01539 in Executive Session on 16 Oct 24:

, Panel Chair  
, Panel Member  
, Panel Member

All members voted against correcting the record. The panel considered the following:

Exhibit E: Record of Proceedings, w/ Exhibits A-D, dated 14 Feb 05.  
Exhibit F: Application, DD Form 149, w/atchs, dated 3 Aug 23.  
Exhibit G: Documentary evidence, including relevant excerpts from official records.  
Exhibit H: Letter, SAF/MRBC, w/atchs (Post-Service Request and Liberal Consideration Guidance), dated 15 Apr 24.  
Exhibit I: FBI Report and Supporting Documentation, dated, 18 Apr 24.  
Exhibit J: Advisory Opinion, AFRBA Psychological Advisor, dated 6 Jun 24.  
Exhibit K: Notification of Advisory, SAF/MRBC to Applicant, dated 6 Jun 24.  
Exhibit L: Letter, SAF/MRBC, w/atchs (Updated Liberal Consideration Guidance), dated 6 Jun 24.  
Exhibit M: Applicant's Response, dated 22 Jun 24.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

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Board Operations Manager, AFBCMR