RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-02280

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT REQUESTS THAT:

His narrative reason for separation of “Erroneous Enlistment” be changed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT CONTENDS THAT:

His reason for discharge was unjust because he was forthcoming about his pre-service history of childhood asthma prior to enlisting. He produced all the necessary paperwork he was asked for regarding his condition and was allowed to attend and graduate basic military training. By amendment, he contends his narrative reason for separation makes it appear as though he lied to get into the military which is interfering with his ability to obtain employment. At the time of his discharge he was 19 years old and unaware of the impact of declining legal counsel.

In support of his request, the applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty,* excerpts from his service medical records and military personnel records, and a memo from his attending physician.

The applicant’s complete submission, including attachments, is at Exhibit A.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATEMENT OF FACTS:

The relevant facts pertaining to this application are contained in the letters prepared by the appropriate offices of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AIR FORCE EVALUATION:

AETC/SGPS recommends denial, indicating there is no evidence of an error or injustice. The applicant’s record indicates he was discharged for medical reasons on 17 Jun 09. During his induction physical, he met the criteria for which the Chief Medical Officer (CMO) could clear him for entry into Air Force despite his pre-service history of asthma. However, his symptoms returned while attending basic military training. He sought treatment at the cadet clinic and was administered a methacholine challenge test which he failed, resulting in him being prescribed Albuterol and excused from all physical exercise. It is this new onset of symptoms and treatment occurring within the last three years that render the applicant unfit for military service. The separation was carried out in accordance with established policy and administrative procedures.

A complete copy of the AETC/SGPS evaluation is at Exhibit C.

AFPC/DPSOS recommends denial, indicating there is no evidence of an error or injustice. The applicant’s disqualifying physical condition does not meet Air Force standards set forth in AFI 48-123, *Physical Standards*, and was not permanently aggravated by training beyond the normal progression of the ailment. His discharge was appropriately administered in accordance with the discharge instruction and was within the discretion of the discharge authority. The applicant’s characterization of service is correct as reflected on his DD Form 214. Airmen are given entry-level separation with uncharacterized service when separation is initiated in the first 180 days of continuous active service. The Department of Defense determined it would be unfair to the member or the Department to characterize their limited service when such service was 180 days or less.

A complete copy of the AFPC/DPSOS evaluation is at Exhibit D.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant provides an expanded statement indicating that he thought his discharge was going to be coded as a medical discharge or an early-entry separation. He desires to have his discharge changed as it is interfering with his ability to obtain suitable employment. He argues that if there was any question of his ability to continue through with military service, he should have been discharged prior to being allowed to graduate BMT.

A complete copy of the applicant’s response is at Exhibit F.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 an error or injustice. After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of an error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been adequately rebutted by the applicant. Absent persuasive evidence the applicant was denied rights to which he was entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and 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-2010-02280 in Executive Session on 16 Feb 11, under the provisions of AFI 36-2603:

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 1 Jun 10, w/atchs.

Exhibit B. Applicant's Master Personnel Records.

Exhibit C. Letter, AETC/SGPS, dated 7 Jul 10.

Exhibit E. Letter, AFPC/DPSOS, dated 5 Nov 10.

Exhibit E. Letter, SAF/MRBR, dated 23 Dec 10.

Exhibit F. Letter, Applicant, dated 6 Jan 11.