



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

THIRD ADDENDUM TO RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2017-00562-4

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

In the applicant's previous submissions, he requested the Board reconsider his request to change his narrative reason for separation on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, to reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training.

In the applicant's new submission, he requests the Board consider his request to change his narrative reason for separation on his DD Form 214 to reflect Mental Health Disability rather than Marginal Performer Assigned to Initial Training.

RESUME OF THE CASE

The applicant is an honorably discharged Air Force airman basic (E-1).

On 14 June 2018, the Board considered and denied the applicant's request that his narrative reason for separation reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training, finding the applicant had provided insufficient evidence of an error or injustice to justify relief. The Board also noted the request was not timely submitted.

On 8 March 2019, the applicant submitted an application for reconsideration requesting his narrative reason for separation reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training.

On 20 June 2019, the Board considered and denied the applicant's request again that his narrative reason for separation reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training, finding the applicant had provided insufficient evidence of an error or injustice to justify relief.

On 1 November 2019, the applicant submitted an application for reconsideration requesting his narrative reason for separation reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training.

On 1 September 2020, the Board considered and denied the applicant's request again that his narrative reason for separation reflect Service-Connected Disability rather than Marginal Performer Assigned to Initial Training. The Board found the applicant had provided insufficient evidence of an error or injustice to justify relief.

AFBCMR Docket Number BC-2017-00562-4

Work-Product

Work-Product

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

On 21 March 2024, the applicant requests to change his narrative reason for separation on his DD Form 214 to reflect Mental Health Disability rather than Marginal Performer Assigned to Initial Training. He contends since the Board of Veterans Appeals has determined and granted service connection of schizoaffective disorder, sleep apnea, exacerbation of Osgood Schlatter's all which occurred and are documented in his service treatment records as "Maladjustment Disorder" and "Occupational Maladjustment" as well as the narrative describing behaviors consistent with mental health disorder i.e., schizoaffective disorder and as a result of military service, removing "Marginal Performance" and replacing it with "Mental Health Disability" as to reason for discharge is warranted.

In support of his reconsideration request, the applicant submitted the following new evidence: (1) Board of Veterans' Appeals Report, dated 18 December 2022, which states entitlement to service connection for an acquired psychiatric disorder to include schizoaffective disorder is granted. The veteran's acquired psychiatric disorder, to include schizoaffective disorder is etiologically related to mental health symptoms in service; and (2) Letter, Solace Behavioral Health, dated 1 April 2024.

The applicant's complete submission is at Exhibit L.

AIR FORCE EVALUATION

SAF/AFRBA Psychological Advisor recommends denying the application. The psychological advisor concurs with the previous medical advisor's opinion and continues to find insufficient evidence has been presented to support the applicant's request for a medical disability based on his mental health condition.

After an extensive review of the available records, the psychological advisor concurs with the opinion previously rendered by the medical advisor and finds the newly submitted evidence insufficient to support the applicant's requests for a medical disability for his mental health condition. The psychological advisor finds no error or injustice with the applicant's discharge from a mental health perspective. Finally, liberal consideration is not applied to the applicant's request for a medical disability or discharge because the updated clarifying guidance, the Vazirani Memorandum, published on 4 April 2024, clearly states that liberal consideration does not apply to fitness determinations requests, which includes medical disability, discharge, and/or retirement. The updated clarifying guidance also instructed a bifurcate review should be performed when a mental health condition contributed to the circumstances of discharge or dismissal to determine whether an upgrade to the discharge or change in the narrative reason is appropriate. The applicant already received an honorable character of service and there is no error or injustice identified with his narrative reason for separation, so a bifurcate review is not necessary or required.

The complete advisory opinion is at Exhibit M

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 20 August 2024 for comment (Exhibit N), but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.

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 and recommendation of the SAF/AFRBA Psychological Advisor and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant's mental health conditions, assessed as maladjustment disorder and occupational maladjustment during his time in the service are unsuiting conditions for continued military service. Unsuiting conditions are different than unfitting conditions. Unsuiting conditions meet the criteria for an administrative separation and unfitting conditions meet the criteria for a medical discharge. The applicant had difficulties adjusting to the military and the law enforcement field. Contrary to the applicant's post-service providers' opinions that his schizoaffective disorder had occurred during his time in the service, there is no evidence or records he had schizoaffective disorder, bipolar type during his time in the service. These were their opinions and are not based on facts nor supported by any actual records. The Board finds the newly submitted evidence insufficient to support the applicant's requests for a medical disability for his mental health condition. Therefore, the Board again recommends against correcting the applicant's records.

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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2017-00562-4 in Executive Session on 20 November 2024:

Work-Product

Panel Chair

Work-Product

, Panel Member

Work-Product

Panel Member

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

Exhibit G: Record of Proceedings, w/ Exhibits A-F, dated 14 June 2018.

Exhibit H: Application, DD Form 149, w/atchs, dated 8 March 2019.

Exhibit I: Addendum to Record of Proceedings, dated 27 July 2019.

Exhibit J: Application, DD Form 149, w/atchs, dated 1 November 2019.

Exhibit K: Second Addendum to Record of Proceedings, dated 18 March 2021.

Exhibit L: Application, DD Form 149, w/atchs, dated 21 March 2024.

Exhibit M: Advisory Opinion, SAF/AFRBA, dated 15 August 2024.

Exhibit N: Notification of Advisory, SAF/MRBC to Applicant, dated 20 August 2024.

Work-Product

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.

12/10/2024

X

Work-Product

Work-Product

Board Operations Manager, AFBCMR

Signed by: USAF

AFBCMR Docket Number BC-2017-00562-4

Work-Product