



**CUI//SP-MIL/SP-PRVCY**

**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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**ADDENDUM TO RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2018-03342-2

*Work-Product*

**COUNSEL:** NONE

*Work-Product*

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

The Board reconsider his request to change the following on his DD Form 214, *Certificate of Release or Discharge from Active Duty*:

- a. His "Uncharacterized" entry level separation (ELS) be upgraded to an honorable discharge.
- b. His reentry (RE) code of "2C," which denotes "Involuntarily separated with an honorable discharge; or entry level separation without characterization of service" be changed to "3K," which denotes "Reserved for use by AFPC or the Air Force Board for Correction of Military Records when no other reenlistment eligibility code applies or is appropriate."
- c. His narrative reason for separation and corresponding separation code be changed to "Secretarial Authority" and "JFF." (**Already Corrected/No Board Action Needed**).
- d. His name be changed to reflect his current legal name. (**No Board Action Needed**).

**RESUME OF THE CASE**

The applicant is a former Air Force airman (E-2).

On 19 Jun 19, the Board considered and denied his request to upgrade his ELS with "Uncharacterized" character of service to honorable; finding the applicant had provided insufficient evidence of an error or injustice to justify relief. The Board, however, did concur with the rationale and recommendation of the AFBCMR Psychiatric Advisor granting the applicant's request for a change to his narrative reason for separation and corresponding separation code.

On 9 Sep 19, a letter with the newly corrected DD Form 214 was sent to the applicant correcting his narrative reason for separation and corresponding separation code to "Secretarial Authority" and "JFF."

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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 G.

On 9 Sep 21, the applicant requested reconsideration of his request to upgrade his discharge to honorable, change his narrative reason for separation and corresponding separation code, change his RE code, and change his name to reflect his current legal name. He again requests a new DD Form 214 that states explicitly that he served his country honorably. He originally claimed he was discharged for being homosexual. Regarding the applicant's request for a name change, no board action is needed as this request is being handled under a separate BCMR case number BC-2022-00296.

In support of his reconsideration request, the applicant submitted the following new evidence: (1) Letter from DFAS; (2) Department of Veterans Affairs (DVA) Disability Rating; (3) Court Order for Legal Name Change; and (4) Birth Certificate.

The applicant's complete submission is at Exhibit H.

**APPLICABLE AUTHORITY/GUIDANCE**

On 20 Sep 11, with the repeal of the law commonly known as "Don't Ask, Don't Tell" (DADT), 10 U.S.C. § 654, the Department of Defense (DoD) issued supplemental policy guidance on correcting military records of former service members who had been discharged under that law or a precursor. The guidance applied to the following types of requests: changing the narrative reason for a discharge; re-characterizing service as honorable; changing a reentry code to one allowing immediate eligibility to reenter service. The guidance directed that such requests should normally be granted when both of the following conditions are true: (1) the original discharge was based solely on DADT or a similar policy in place prior to enactment of DADT; and (2) there were no aggravating factors in the record, such as misconduct. For meritorious cases, the guidance further directed the use of "Secretarial Authority" as the new narrative reason for separation, with Separation Program Designator (SPD) code "JFF" and reentry code "1J." Finally, the guidance noted that while each request must be evaluated individually, an honorable or under honorable conditions (general) discharge should normally be considered to indicate the absence of aggravating factors.

According to AFI 36-3208, *Administrative Separation of Airmen*, incorporating changes through 8 Jun 17, paragraph 1.18, the types of service characterization are as follows:

**Honorable.** The quality of the airman's service generally has met 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.

**Under Honorable Conditions (General).** 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 airman's military record.

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**Under Other than Honorable Conditions.** 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 airmen. The member must have an opportunity for a hearing by an administrative discharge board or request discharge in lieu of trial by court-martial.

**Entry Level Separation.** Airmen are in entry level status during the first 180 days of continuous active military service or the first 180 days of continuous active military service after a break of more than 92 days of active service. Determine the member's status by the date of notification; thus, if the member is in entry level status when initiating the separation action, describe it as an entry level separation unless:

- A service characterization of under other than honorable conditions is authorized under the reason for discharge and is warranted by the circumstances of the case; or
- The Secretary of the Air Force determines, on a case-by-case basis, that characterization as honorable is clearly warranted by unusual circumstances of personal conduct and performance of military duty.

**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 applicant's original claim that he was discharged from the Air Force merely for being homosexual is not accurate. The record reveals that his brief military service was distinguished by multiple transgressions. As a result of his failure to adopt to the Air Force, he was ultimately discharged for a diagnoses of an Adjustment Disorder, provided to him during his inpatient psychiatric hospitalization. The applicant was given an ELS/uncharacterized service characterization because his separation was initiated in the first 180 days of continuous active service. The Department of Defense (DoD) determined if a member served less than 180 days continuous active service, it would be unfair to the member and the service to characterize their limited service. The applicant's RE code of "2C" is correct as it denotes he was involuntarily separated with an entry level separation without characterization of service. Therefore, the Board 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**

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The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2018-03342-2 in Executive Session on 27 Apr 22:

- 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 19 Jun 19.

Exhibit H: Application, DD Form 149, w/atchs, dated 9 Sep 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

3/15/2023

Work-Product

Board Operations Manager, AFBCMR

Signed by: USAF