



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

---

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-01367

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

---

**APPLICANT'S REQUEST**

Her uncharacterized entry level separation (ELS) be upgraded to honorable.

**APPLICANT'S CONTENTIONS**

While serving, she suffered from an undiagnosed mental health condition. She was discharged with an ELS with a narrative reason for separation of "Personality Disorder." Based on the circumstances of her discharge, she is eligible to be upgraded to an honorable discharge. Until now, she was unaware she could get a discharge upgrade.

In support of her request the applicant provides her DD Form 214, *Certificate of Release or Discharge from Active Duty*, Department of Veterans Affairs (DVA) Benefits Statements, and her DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

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

On 4 Jun 01, DD Form 4 indicates the applicant enlisted in the Air Force Reserve for eight years under the Delayed Entry/Enlistment Program (DEP). She was discharged from the DEP and enlisted in the Regular Air Force 3 Jul 01 for a period of four years.

On 27 Jul 01, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of AFI 36-3208, *Administrative Separation of Airmen*. The specific reason for the action was the applicant was diagnosed with a mental disorder, specifically "Adjustment Disorder with Depressed Mood." On this same date, the applicant waived her option to consult counsel, waived her right to submit statements, and acknowledged if discharged, she would not be entitled to any disability, retirement, or severance pay.

On 30 Jul 01, the Assistant Staff Judge Advocate found the discharge action legally sufficient.

On 31 Jul 01, the discharge authority directed the applicant be discharged for Mental Disorders, with an uncharacterized service characterization.

On 2 Aug 01, the applicant received an uncharacterized discharge. Her narrative reason for separation is "Personality Disorder" and she was credited with one month of total active service.

**AFBCMR Docket Number BC-2022-01367**

[REDACTED]

A DVA Benefits Summary Letter, dated 30 Sep 21, provided by the applicant, indicates the applicant's active-duty service from 3 Jul 01 to 2 Aug 01 was "Honorable."

For more information, see the excerpt of the applicant's record at Exhibit B.

#### **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 2 Feb 23, the Board staff provided the applicant a copy of the liberal consideration guidance (Exhibit D).

AFI 36-3208, *Administrative Separation of Airmen*, describes the types of service characterization:

**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.

**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. 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 Air Force.
- 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 assault of a child, sexual abuse of a child, forcible sodomy and attempts to commit these offenses.

## **AIR FORCE EVALUATION**

AFPC/DP2SSR recommends denying the application. Airmen are in entry level status during the first 180 days of continuous active military 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. Based on review of the applicant's request, there is no error or injustice with the discharge processing.

The complete advisory opinion is at Exhibit C.

## **ADDITIONAL AIR FORCE EVALUATION**

The AFRBA Psychological Advisor finds insufficient evidence has been presented to support the applicant's request for an upgrade of her discharge. The applicant was evaluated a total of three times from her supervisor and medical referrals by a military mental health provider and attended a few group sessions during her brief time in service. She was consistently diagnosed with adjustment disorder with depressed mood due to having difficulties adjusting to the military environment causing her to feel depressed and experience various depressive symptoms such as sleep issues, low energy, concentration problems, diminished appetite, and fleeting suicidal thoughts. Her adjustment disorder diagnosis was found to be appropriate and valid based on her presenting problems and clinical presentation and was determined to be disqualifying and unsuited for military service and was the basis of her discharge. This diagnosis would dispute her contention that she had an undiagnosed mental health condition when in fact, she was assessed and diagnosed properly with a mental health condition during service. There was, however, an identifiable error with the narrative reason for separation currently listed on her DD Form 214. The applicant was not discharged for having a "Personality Disorder" but for having a different unsuited mental health condition of "Adjustment Disorder with Depressed Mood." Her narrative reason for separation is recommended to be changed to "Condition Not A Disability" to correct this error and based on liberal consideration guidance.

Liberal consideration is applied to the applicant's petition. The following are responses based on the available records to the four questions in the policy:

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

[REDACTED]

The applicant contends she suffered from undiagnosed mental health condition while in service and was subsequently discharged under ELS for Personality Disorder. She believes based on the circumstances of her discharge she is eligible for an honorable discharge.

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

The applicant was referred and received a mental health evaluation three times during her brief military service. Each evaluation yielded a diagnosis of adjustment disorder with depressed mood due to her inability to adapt to the military causing her to experience depressive symptoms. She also attended groups through the BMT Psychoeducational Program at WHMC and was consistently given a diagnosis of adjustment disorder with depressed mood by her group provider.

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

The applicant's mental health condition of adjustment disorder with depressed mood and not Personality Disorder was disqualifying and unsuited for continued military service and was the cause and reason for her administrative discharge. Her diagnosis was appropriate and valid based on her clinical presentation and there is no error or injustice identified with her discharge. Her mental health condition does not excuse or mitigate her discharge.

4. Does the condition or experience outweigh the discharge?

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

The complete advisory opinion is at Exhibit E.

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

The Board sent a copy of the advisory opinions to the applicant on 16 Mar 23 for comment (Exhibit F) but has received no response.

#### **FINDINGS AND CONCLUSION**

1. Although the application was not timely filed within the three-year limitation period established by 10 U.S.C § 1552(b), the untimeliness is waived in the interest of justice.

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

3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale of the AFRBA Psychological Advisor and finds a preponderance of the evidence substantiates the applicant's contentions in part. While the Board notes the applicant was not discharged for having a Personality Disorder but for an Adjustment Disorder, a narrative reason for separation change to a "Condition Not A Disability" would accurately reflect her unsuiting condition while maintaining her privacy. Therefore, in order to correct the identifiable error, the applicant's DD Form 214, *Certificate of Release or Discharge from Active Duty*, the Board recommends the applicant's Narrative Reason for Separation be changed to "Condition Not A Disability." However, for the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice, and the Board therefore finds no basis to recommend granting that portion of the applicant's request. Liberal consideration was applied to the applicant's request due to the contention of a mental health condition; however, there is no evidence of any unfitting mental health condition meeting the criteria for a medical

[REDACTED]

discharge/disability and would also not outweigh her administrative discharge. Therefore, the Board recommends correcting the applicant's records as indicated below.

## RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 2 Aug 01, she was discharged with a narrative reason for separation of "Condition Not A Disability," and a separation code of "JFV."

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

## CERTIFICATION

The following quorum of the Board, as defined in the 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-2022-01367 in Executive Session on 22 Feb 23 and 26 Jul 23:

[REDACTED], Panel Chair  
[REDACTED], Panel Member  
[REDACTED], Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 18 May 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DP2SSR, dated 23 May 22.
- Exhibit D: Notification of Clarifying Guidance (Liberal Consideration) to applicant, dated 2 Feb 23.
- Exhibit E: Advisory opinion, AFRBA Psychological Advisor, 6 Feb 23.
- Exhibit F: Notification of advisory, SAF/MRBC to applicant, dated 16 Mar 23.

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.

12/25/2023

X [REDACTED]

[REDACTED]  
Board Operations Manager, AFBCMR  
[REDACTED]

**AFBCMR Docket Number BC-2022-01367**