

Work-Product

CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01535

Work-Product

COUNSEL: NONE

Work-Product

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed to remove separation code and corresponding narrative reason for separation.

APPLICANT'S CONTENTIONS

At the time of her discharge, she was single and pregnant. Being young and naïve she was at the mercy of guidance from her sponsor and others. She wanted to stay in the Air Force; however, she was not given the option. She was not groomed properly or set-up for success. She remembers specifically when it came to upgrade training, there were addendums she was given, which did not help her do well on her tests. She was not given much counsel or direction on how to improve, or if there were options as a single parent to stay in the Air Force. She was basically told she had failed and was discharged. She realizes if she had been more aware or had better guidance, she would have been successful in the Air Force and retired with benefits. She is asking for the unsatisfactory performance on her DD Form 214 be removed to allow her to receive Veteran Affairs medical benefits, or a home loan.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-3).

On 24 May 88, the applicant's commander recommended she be discharged from the Air Force under the provisions of AFR 39-10, *Administrative Separation of Airmen*, due to unsatisfactory performance. Probation and rehabilitation were not offered.

On 9 Jun 88, the Staff Judge Advocate found the discharge action legally sufficient.

On, 7 Jul 88, according to the DD Form 214, the applicant received an honorable discharge. Her separation code and corresponding narrative reason for separation is JHJ, *Unsatisfactory Performance*. She was credited with 1 year, 9 months, and 14 days of total active service.

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

Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

**AFBCMR Docket Number BC-2022-01535
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AIR FORCE EVALUATION

AFPC/DP2SSR (Military Retirements and Separations) recommends denying the application. A review of the applicant’s personnel records showed the commander provided ample justification to the discharge authority to support the discharge and narrative reason/separation code. The discharge authority determined the reason for separation was warranted and directed discharge.

The complete advisory opinion is at Exhibit C.

APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 10 Aug 22, for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed.
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 not the victim of an error or injustice. There is no evidence the narrative reason for separation is incorrect. Accordingly, The Board concurs with the rationale and recommendation of AFPC/DP2SSR and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and recommends against correcting the applicant’s records.
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 application was not timely filed; it would not be in the interest of justice to excuse the delay; 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, paragraph 2.1, considered Docket Number BC-2022-01535 in Executive Session on 4 May 23:

Work-Product, Chair, AFBCMR
Work-Product, Panel Member
Work-Product, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 6 May 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 10 Aug 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 Aug 22.

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

8/7/2023

X *Work-Product*

Board Operations Manager, AFBCMR

Signed by *Work-Product*