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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00967

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

1. Her "Uncharacterized" Entry Level Separation (ELS) be upgraded to a medically related discharge.
2. Her narrative reason for separation "Conditions that Interfere with Military Service-Not Disability, Character and Behavior Disorder" be changed to reflect a medical discharge.

APPLICANT'S CONTENTIONS

She became ill while at Basic Military Training (BMT) and was sent to sick call where she was diagnosed with a thyroid problem due to the heart rate tests conducted on her at that time. She was given the choice of extending her current enlistment to have her thyroid removed or be medically separated. She chose to be medically separated. Post-service, she received continued medical care for Grave's Disease and liver failure. She never saw her DD Form 214, *Certificate of Release or Discharge from Active Duty*, until she requested a copy recently and noticed the discrepancy. The narrative reason on her DD Form 214 is false; her discharge was based on her thyroid blood tests and is against Air Force fraud, waste, and abuse Inspector General (IG) standards. This false information denies her possible benefits, allowances, and privileges.

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 3 May 88, the applicant's commander recommended the applicant receive an ELS from the Air Force, under the provisions of AFR 39-10, *Administrative Separation of Airmen*, paragraph 5.11i for a condition that interferes with military service. The 2 May 88 Mental Health Evaluation diagnosed her with a character and/or behavior disorder, specifically adjustment disorder with mixed emotional features, Bulimia, parent/child problem, and personality disorder, not otherwise specified (NOS) with dependent, borderline, and histrionic traits. It was determined her condition interfered with duty performance and conduct so severe, her ability to function in the military was

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significantly impaired and was recommended she be removed from training and administratively discharged.

Not dated, the Deputy Staff Judge Advocate found the discharge action legally sufficient.

On 5 May 88, the discharge authority directed the applicant be discharged with an ELS.

On 6 May 88, the applicant received an uncharacterized ELS. Her narrative reason for separation is "Conditions that Interfere with Military Service-Not Disability, Character and Behavior Disorder" and she was credited with 11 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.

APPLICABLE AUTHORITY/GUIDANCE

AFR 39-10, dated 1 Oct 84, describes the authorized service characterizations that were applicable at the time of the applicant's separation.

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.

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.

AIR FORCE EVALUATION

The AFBCMR Medical Advisor recommends denying the application finding insufficient evidence to support her request to change any parameters on her DD Form 214. Her records clearly indicated only conditions that fall under the umbrella of mental health. There was no evidence available to show any abnormality of her thyroid or liver during her 11 days of military service. Her own words revealed if the thyroid condition of Grave's Disease is accurate... her diagnosis and work-up was distant to her date of being administratively separated from military service. The burden of proof is placed on the applicant to submit evidence to support her request. The evidence she did submit was assessed to not support her request for granting a change to her DD Form 214.

The applicant contends while in BMT she became ill, went to sick call, and over time was diagnosed with a thyroid problem. Her medical records did not reveal such stated evidence. In her own words she states she was released and in a few months after, Sep 88, she started seeing an endocrinologist for Grave's Disease (thyroid condition) and a failing liver. None of her medical records made note of any abnormal laboratory blood tests for either the thyroid or liver nor was there any listed condition pertaining to either organ. All records stemmed from physical issues (nausea and vomiting) that were akin to various non-suiting versus unfitting mental health diagnoses.

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 31 Jan 24 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. The Board concurs with the rationale and recommendation of the AFBCMR Medical Advisory and finds a preponderance of the evidence does not substantiate the applicant's contentions. Airmen are given entry level separation with uncharacterized service when they fail to complete a minimum of 180 days of continuous active military service and the applicant only served 11 days of active service; therefore, the type of separation is correct as indicated on her DD Form 214. Furthermore, the Board finds her thyroid condition of Graves' Disease was diagnosed post-service with no evidence to suggest it was the result of her military service and finds no evidence the applicant had any abnormality of her thyroid or liver as all records indicate her nausea and vomiting were akin to various non-suiting versus unfitting mental health diagnoses. Therefore, the Board finds she was correctly diagnosed for an unsuiting mental health condition which interfered with her duty performance and her ability to function in the military and recommends against correcting the applicant's records. 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, U.S.C., and Department of the Air Force Instruction 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 and finds the application untimely.

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-2023-00967 in Executive Session on 20 Mar 24:

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Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atch, dated 17 Aug 22.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFBCMR Medical Advisor, dated 29 Jan 24.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 31 Jan 24.

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.

3/27/2024

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Board Operations Manager, AFBCMR
Signed by: USAF