

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02455

XXXXXXXXXXXXXXXXXX

COUNSEL: XXXXXXXXXXXX

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended to:

a. Change Block 28, *Narrative Reason for Separation*, to reflect "Secretarial Authority" or "Miscellaneous/General Reasons."

b. Change Block 25, *Separation Authority*, Block 26, *Separation Code*, and Block 27, *Reentry Code*, to conform with requested change to Block 28, *Narrative Reason for Separation*.

APPLICANT'S CONTENTIONS

Presented via counsel, the applicant experienced errors worthy of relief when the Air Force misdiagnosed her with an Adjustment Disorder, separated her with a narrative reason of "Personality Disorder" and denied her an opportunity to overcome any deficiencies. The applicant experienced injustice by having the stigma of an inaccurate Personality Disorder, which does not reflect her service or character, and which prevents her from proudly discussing her service with her work, family, and community.

The applicant's discharge surprised her initially, making her feel an error had occurred. In 2014, she did independent research and found articles stating the military had been inaccurately overusing this reason for discharges. She did not submit an application for change and was not aware of the specific legal basis at that time. In Jul 22, she learned her discharge included factual and procedural errors and an injustice based on the Wilkie Memo; therefore, the Board should conclude the applicant did not discover the alleged error or injustice until 7 Jul 22. If the Board concludes otherwise, it should waive the three-year statute of limitations in the interest of justice.

On 24 May 05, the applicant began her service in the Air Force as a Security Forces Apprentice and by Oct 05, was considered for the Personnel Reliability Program (PRP), and was certified for PRP duties by 30 Jan 06. The PRP review included her entire medical history which included a counseling session in 1993 when her parents divorced. Her recruiter obtained a letter dated 1 Jul 03, from the therapist who saw the applicant in 1993. According to the therapist's letter, the office where she saw the applicant had no record of her visit, and the therapist's records did not include the applicant's chart. The therapist did her best to recall the one or two visits with the applicant and states she was "probably diagnosed with 309.28 Adjustment Disorder..." The applicant did not have additional counseling. Due to this counseling, the Behavioral Analysis Service (BAS) performed a PRP evaluation on 4 Oct 05. BAS listed no diagnosis and recommended the applicant be returned to duty and for PRP. The counseling was noted as not Potentially Disqualifying Information (PDI), and no other PDI was found at her Nov 05 PRP medical certification, her Dec 05 PRP medical certification, her Mar 06 annual PRP audit, and her May 06 mental health and medical PRP certification evaluations.

Between Fall 2005 and Spring 2006, the applicant thrived at her unit and PRP duties. In May 06, she was transferred to a different unit and was treated as if she was transferred because she was a screw-up, singled out, and subjected to mandatory reporting. She received two Letters of

Reprimand but maintains those were unsubstantiated. She sought advice from her First Sergeant on how best to navigate her work environment and was referred to an on-base counselor. Counsel provided copies of clinical records detailing counseling notes, which indicated Adjustment Disorder with Anxiety and Depressed Mood, with a final recommendation of permanent decertification from PRP. Despite the clinical notes, the applicant maintains this diagnosis was never discussed with her. Further, she contends she was not informed about the Adjustment Disorder listed in her records nor given a reason for the separation decision. She signed the form for permanent disqualification on 18 Jul 06, which does not include an Adjustment or Personality Disorder in the reason for decertification, but instead reflected she “received a competent medical authority recommendation for permanent disqualification from the PRP and subsequent separation from the Air Force.” She did not know the Narrative Reason for Separation was Personality Disorder until she signed her DD Form 214 on 4 Aug 06, and did not know an Adjustment Disorder was listed until years later when she requested her records.

Per counsel, her discharge is an error of fact because it includes a misdiagnosis of Adjustment Disorder not supported by her records. Referring to the applicant’s clinic records and PRP medical certification, counsel contests the providers findings regarding her symptoms, their timing, and final diagnosis. Further, the current narrative reason is in error because it identifies a non-diagnosed Personality Disorder not supported by the record. Per counsel, Personality Disorders are long-standing, and the applicant’s civilian report of medical history only noted counseling for her parent’s divorce and no other potential issues. During her service, she met with the provider and was reviewed regularly for PRP purposes without any indication of a Personality Disorder. The provider’s notes never listed a Personality Disorder diagnosis, nor describe inflexible and unexpected behavior. Only the DD Form 214 lists a Personality Disorder.

Additionally, counsel contended the applicant’s discharge is an error of law, fact, and procedure because it includes procedural deficiencies. Her records lack documents that support the existence of an Adjustment/Personality Disorder, that explain the adverse effects on assignment or duty performance of either disorder, that show formal counseling on deficiencies of either disorder, and provide her ample opportunity to overcome such deficiencies. Providing a progressive relaxation CD for sleep, discussing alternative ways to view the current situation, discussing behavioral activation and relaxation techniques, and having the applicant discuss the situation with the First Sergeant are not formal counseling on deficiencies. Notes of the records show she was proactively informed she could be discharged if her situation did not change. The Air Force failed on each requirement which adds to the injustice and need to correct the record.

Finally, even if the applicant was properly diagnosed with a disorder, including a diagnosis in a DD Form 214 is against current policy and an injustice. The Air Force recognized under the Wilkie memo it is an injustice to label a discharge as resulting from a Personality or Adjustment Disorder. This description adds unnecessary stigma, and a change is required to comply with fundamental fairness. Furthermore, medical privacy concerns necessitate a change in narrative reason where diagnostic information is included.

In support of the applicant’s contentions, counsel provided post-discharge work, family, and community service information. Additionally, counsel provided a copy of a Government Accountability Office report to Congress regarding defense health care, a report by Vietnam Veterans of America titled, “*Casting Troops Aside: The United States Military’s Illegal Personality Disorder Discharge Problem*”, and guidance from the Undersecretary of Defense to military discharge review Boards and Boards for Correction of Military/Naval records (Wilkie memo).

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force airman (E-2).

On 22 Nov 05, according to AF Form 286, *Nuclear Weapons Personnel Reliability Program (PRP) Certificate*, Section I. *Unit Initiation*, "PDI [potentially disqualifying information] has been found which may preclude qualification for PRP duty. Certifying official will review all PDI." On 5 Dec 05, Section II. *Health Records Screening*, the applicant was found "Medically Qualified for PRP Duties. No PDI found." On 30 Jan 06, Section III. *PRP Certification*, signed by the Certifying Official, reflects, "I certify this individual has been briefed and meets the requirements and understands his/her obligations under the PRP for formal certification."

On 18 Jul 06, according to AF Form 286A, *Notification of Nuclear Weapons Personnel Reliability Program Permanent Decertification/Disqualification Action*, the applicant was permanently decertified from the Air Force Nuclear Weapons Personnel Reliability Program upon recommendation from competent medical authority. The applicant signed her acknowledgement on 19 Jul 06 and did not wish to submit additional information, and the Certifying Official signed on 30 Jul 06.

On 24 Jul 06, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of Air Force Instruction (AFI) 36-3208, *Administrative Separation of Airmen*. The specific reasons for the action were:

- a. The applicant was diagnosed with Axis I Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR 309.28): Adjustment Disorder with Mixed Anxiety and Depressed Mood.
- b. Her condition disqualified her from the Personnel Reliability Program.

The Staff Judge Advocate found the discharge action legally sufficient.

On 24 Jul 06, the discharge authority directed the applicant be discharged for Adjustment Disorder with Mixed Anxiety and Depressed Mood, with an honorable service characterization. Probation and rehabilitation were considered, but not offered.

On 4 Aug 06, the applicant received an honorable discharge. Her Narrative Reason for Separation is Personality Disorder, Separation Authority is AFI 36-3208, Separation Code JFX (Personality Disorder), Reentry Code 2C (Involuntarily separated with an honorable discharge), and she was credited with 2 years, 2 months, and 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 D.

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 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 25 Jul 18, the Under Secretary of Defense for Personnel and Readiness issued supplemental guidance, known as the Wilkie Memo, to military corrections boards in determining whether relief is warranted based on equity, injustice, or clemency. These standards authorize the board to grant relief in order to ensure fundamental fairness. Clemency refers to relief specifically granted from a criminal sentence and is a part of the broad authority Boards have to ensure fundamental fairness. This guidance applies to more than clemency from sentencing in a court-martial; it also applies to any other corrections, including changes in a discharge, which may be warranted on equity or relief from injustice grounds. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. Each case will be assessed on its own merits. The relative weight of each principle and whether the principle supports relief in a particular case, are within the sound discretion of each Board. In determining whether to grant relief on the basis of equity, an injustice, or clemency grounds, the Board should refer to paragraphs 6 and 7 of the Wilkie Memo.

On 11 Jan 24, Board staff provided the applicant a copy of the liberal consideration guidance (Exhibit C).

AIR FORCE EVALUATION

AFRBA Psychological Advisor recommends partially granting the applicant's request. The applicant was not discharged for having a Personality Disorder, but for an Adjustment Disorder; therefore, the advisor recommends changing her Narrative Reason for Separation to Condition, Not a Disability, to correct this identifiable error.

A review of the available and submitted records finds the applicant's and her legal counsel's contentions were partially corroborated by the objective military records. The applicant was never diagnosed with a Personality Disorder during service, nor was she discharged from service for this condition. She was, however, diagnosed with an unsuiting mental health condition of Adjustment Disorder with Mixed Anxiety and Depressed Mood during service and was recommended for discharge for this condition by her military mental health provider. This condition was the basis of her discharge per the Notification Memorandum dated 24 Jul 06 from her commander. There was no Personality Disorder diagnosis mentioned in this notification letter, from the mental health evaluation memorandum dated 14 Jul 06 addressed to her commander from the provider, or in her service treatment records. The Narrative Reason for

Separation currently listed on her DD Form 214 was found to be made in error. Adjustment Disorders and Personality Disorders are both categorized as unsuited mental health conditions and so her current narrative reason appeared to be made from an administrative error.

The applicant's legal counsel contends the applicant was misdiagnosed with an Adjustment Disorder. According to the DSM-IV-TR, the version of the manual that was used to diagnose the applicant, the diagnostic criteria for Adjustment Disorders are: a) The development of emotional or behavioral symptoms in response to an identifiable stressor(s) occurring within three months of the onset of the stressor(s); b) The symptoms or behaviors are clinically significant as evidenced by either marked distress that is in excess of what would be expected from exposure to the stressor or significant impairment in social, occupational or academic functioning; c) The stress-related disturbance does not meet the criteria for another Axis I disorder or not merely an exacerbation of a pre-existing Axis I or Axis II disorder; d) The symptoms do not represent bereavement; and e) Once the stressor or its consequences has terminated, the symptoms do not persist for more than an additional six months. The memorandum from her military provider, her service treatment records, and her personal testimony for this petition identified her work environment/problems were her identifiable stressor. Her provider reported in Jun 06 that she had been having depressive symptoms for seven months caused by her occupational problem. The applicant reported she began experiencing problems or symptoms almost immediately after she arrived at her new unit in May 06. Regardless of these inconsistent reports, her symptoms of depressed mood, inattention, and later possible or vague suicidal ideation had occurred within three months of the onset of her work stressor (a) according to her records and statement. Her symptoms were clinically significant causing marked distress and significant impairment in her occupational functioning as her PRP duties had to be suspended for 30 days eventually leading to permanent PRP decertification (b). Her stress-related disturbance did not meet criteria for another Axis I disorder or was an exacerbation of an Axis I or II disorder as she was only assessed to have one condition/disorder of Adjustment Disorder with Mixed Anxiety and Depressed Mood (c), her symptoms were not caused by or represent bereavement (d), and once her work stressor(s) had been terminated via discharge from the military, her symptoms did not persist for more than an additional six months. The applicant stated she did not need or had counseling since her discharge from the military signifying her symptoms had resolved and there are no reports she had depressive symptoms following her discharge (e). Based on this collective information, the applicant's adjustment disorder diagnosis is determined to be valid and consistent with her clinical presentation at the time of service. Her legal counsel's contention that she was misdiagnosed with an Adjustment Disorder is not supported.

Her legal counsel alleges her provider failed to support the applicant's response to the stressor of her work environment as abnormal. The applicant informed her provider through a telephone conversation on 17 Jul 06 that she was at her "breaking point", alluded to having suicidal thoughts, and stated her only goal would be to escape the Air Force which she felt was "intolerable." These extreme comments and reports, especially about safety concerns made by the applicant, are sufficient to demonstrate that the stressors caused by her work stress were abnormal. Thus, the provider's assessment was appropriate and adequate.

The applicant and her legal counsel referenced she had received mental health treatment/counseling when she was a child to cope with her parent's divorce. They submitted a letter dated 1 Jul 03 from her prior-service provider addressed to the Air Force Recruiters detailing she was having symptoms of anxiety and depressed mood due to family conflict and received a diagnosis of Adjustment Disorder with Mixed Anxiety and Depressed Mood due to the situation. Although this prior-service condition and diagnosis are identical to the diagnosis she was given during her military service, the cause of the diagnosis is different. Her parent's divorce and her work stressors are two completely different identifiable stressors. There is no nexus between the diagnosis given at two different points in time aside from the name of the condition. An individual could be diagnosed with the same condition or disorder for different

reasons and causes and at different times across one's life span, especially for a condition like an Adjustment Disorder. Her prior-service condition of an Adjustment Disorder, developed from her parent's divorce, was not the reason for her discharge from the Air Force. She was discharged for having a new unsuited Adjustment Disorder caused by her work stressors. There is no evidence her prior-service condition was service aggravated by her military duties and service.

The applicant claims there was no discussion of a diagnosis or reason for the decision to discharge with her and this claim is disputed by her military records. The telephone consult dated 17 Jul 06 reported, "Pt [patient] alluded to worsening work situation which has yielded an increase in symptoms. Pt reporting that she is at her "breaking point", alluding to thoughts of suicide although as in past refers to it in abstract fashion. Continues to deny plan and also denies desire to die stating her only goal would be to escape AF which she feels is intolerable. Discussed discussions with commander which have lead (sic) to recommendation for separation (sic) to be submitted ASAP. Pt reporting a great deal of relief including resolution of SI." This report revealed the applicant was informed by her mental health provider that a recommendation for discharge was made to her commander by the provider resulting in her expressing relief and her suicidal thoughts being eliminated. An official recommendation for discharge from a mental health provider could only be based on her mental health condition. As such, there was a discussion of the diagnosis or reason for her discharge occurring between her and her provider. The applicant also signed a memorandum titled, "Receipt of Notification Memorandum dated 24 Jul 06" confirming she received the Notification Memorandum on 24 Jul 06 at 0845 informing her of her discharge and that she will report to the Separations Section in Building 1191, Room 206 by close of business on 24 Jul 06 to begin her out-processing. She also acknowledged she had the right to consult with counsel, submit statements on her behalf, or could waive either of these rights, had received copies of the documents to be forwarded to the separation authority in support of the recommendation for her discharge, was given an appointment to consult with military legal counsel, and understood the discharge action may result with an honorable discharge from the Air Force, and failure to consult with counsel or submit statements will constitute as a waiver of her right to do so. She signed another memorandum titled, "Discharge Under AFI 36-3208" also dated 24 Jul 06, and again acknowledged she had been notified she was being recommended for discharge for reasons cited in the Notification Memorandum according to AFDP 36-32 and AFI 36-3208, paragraph 5.11.9.3, and of the "specific basis of the proposed discharge." She endorsed (or circled) that she had consulted with military legal counsel, waived her right to submit a statement, and voluntarily signed and retained a copy of the memorandum/statement. Also, as required as part of her discharge proceeding per the aforementioned regulations, she was counseled in person by her commander which would include an explanation for the reason of her discharge including being informed of the actual mental health condition/mental disorder as the basis of her discharge. These records indicated the applicant was well aware of the reason for her discharge including the mental disorder diagnosis she received and would dispute her contention.

The applicant and her legal counsel are requesting her narrative reason be changed to "Secretarial Authority" or "Miscellaneous/General Reasons." There is an error identified with the current Narrative Reason for Separation listed on her DD Form 214, as discussed, so a correction to this form is warranted. However, this psychological advisor recommends the Board change the applicant's Narrative Reason for Separation to "Condition, Not a Disability." This narrative reason is the actual, appropriate, and correct reason for her separation from service and is an acceptable narrative reason per liberal consideration guidance, Kurta Memorandum #17. The Board may elect to change her narrative reason to "Secretarial Authority" or "Miscellaneous/General Reasons" as requested, and this decision is at the Board's discretion. Despite the error of the narrative reason on her current DD Form 214, there is no error or injustice identified with her administrative discharge for having an unsuited mental health condition of an Adjustment Disorder.

Liberal consideration is applied to the applicant's request due to the contention of a mental health condition. The following are responses to the four questions in the Kurta Memorandum from the available and submitted records for review:

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

The applicant and her legal counsel contend there is an error and injustice with the currently listed Narrative Reason for Separation on her DD Form 214 of "Personality Disorder" because she was never diagnosed with a Personality Disorder. Her legal counsel also contends she was misdiagnosed with an Adjustment Disorder.

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

There is no evidence the applicant was ever diagnosed with a Personality Disorder or that this condition had existed or occurred during her military service. She was diagnosed with an Adjustment Disorder with Mixed Anxiety and Depressed Mood caused by her work environment/stressors during service.

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

There is no evidence the applicant was misdiagnosed with an Adjustment Disorder and this diagnosis was assessed to be valid and consistent with her clinical presentation at the time of service. Her Adjustment Disorder, not Personality Disorder, was the cause and reason for her discharge. Both conditions may result in an administrative discharge so there is no error or injustice with her general administrative discharge for having an unsuiting mental health condition. There is, however, an administrative error with the narrative reason on her DD Form 214, and her narrative reason should be changed to "Condition, Not a Disability" to correct this issue. Her unsuiting mental health condition caused her discharge but does not excuse or mitigate her discharge.

4. Does the condition or experience outweigh the discharge?

There is no error or injustice identified with the applicant's administrative discharge for having an unsuiting mental health condition; her condition does not outweigh her original discharge, but the identifiable error does warrant a change to her DD Form 214 as discussed.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 11 Jan 24 for comment (Exhibit E), and the applicant replied on 20 Mar 24. In her response, applicant's counsel contends the advisory opinion agrees the applicant was never diagnosed with a Personality Disorder and the narrative reason was in error, but then states she was properly diagnosed with an Adjustment Disorder and recommends changing the narrative reason to "Condition, Not a Disability." This recommendation is improper because it seeks to draw conclusions beyond the scope of the advisory, relies on assumptions outside the record, is reserved for the Board's discretion, and would not follow policy.

The advisory opinion fails to adequately address absences in the record by relying on assumptions outside the available record. While properly finding the medical record has no evidence of a Personality Disorder, the advisory opinion improperly assumes because Adjustment Disorder and Personality Disorder are both unsuiting mental health conditions, the current narrative reason was an administrative error. The advisor assumed the applicant was given a diagnosis of an Adjustment Disorder with Anxiety and Depressed Mood, stating while no rationale was given, it was most likely documented in her chart which was unavailable for review. Even if the Board accepts that the applicant's Adjustment Disorder diagnosis was valid,

it should reject the advisory opinion's conclusory statement that a diagnosis was communicated to the applicant, as this is based on speculation. The Board should accept the applicant's testimony that she did not learn about an Adjustment Disorder until she requested her records post-discharge.

First, the advisory opinion improperly assumed and concluded that because the applicant was relieved to learn she was recommended for discharge, that a discussion about the diagnosis occurred between her and the provider. There is no documentation of such a discussion and the applicant maintains no discussion occurred. Next, the advisory opinion concluded since the applicant signed two discharge memorandums, she knew an Adjustment Disorder was the reason for her discharge. The Notification memorandum described by the advisory opinion was not available in the records provided to the applicant. If they exist, they should not be considered as the applicant did not have an opportunity to review them. Further, counsel acknowledges that AFI 36-3208 lists discharge for adjustment disorders, but the Board should not assume the applicant knew this information. If the Board makes this assumption, they should still grant the petition as the applicant was not informed of adverse effects on duties or counseled on deficiencies or how to overcome them. Finally, the advisory opinion concludes because guidance requires counseling by the commander, that such counseling was provided. The advisory opinion does not identify any documentation that supports this counseling occurred. The Board should not make conclusory statements, like those of the advisory opinion, that discharge protocol must have been followed despite lack of documentation. The applicant is specifically disputing that her discharge followed regulations, and instead included procedural deficiencies resulting in errors of law, fact, and procedure.

Counsel contends the advisory opinion fails to address how details of the applicant's record are inconsistent from one another, and the Board should reject the speculation regarding lack of error, as there is substantial evidence documenting such an error exists. The applicant's records lack documents required by AFI 36-3208, paragraph 5.11. and failure of any of its requirements would be a procedural deficiency, which adds an injustice and need to correct the record. Although an Adjustment Disorder diagnosis was shown in the record, the provider notes did not specifically indicate discussing the diagnosis, nor counseling on deficiencies or discharge. The documents were produced within a month, not enough time for the applicant to overcome any deficiencies, if she had any.

Further, the Wilkie Memo instructs boards to consider quality of service, post-discharge conduct, meritorious service, job history, and character references. Her petition demonstrates her honorable service, including letters of appreciation. She continued her honorable life post-service earning an associate degree, managing a funeral home, and volunteering. She continues to support her family and has been working as a Veterans Service Representative for approximately a year. She has lived with the stigma of a Personality Disorder on her DD Form 214, which the advisory opinion correctly finds was an error, contributing to the overall injustice she experienced. The Board should accept the advisory opinion's conclusion that Personality Disorder was listed as the narrative reason for separation in error but reject the recommendation to list Condition, Not a Disability. The Board should grant the requested change even if it finds the applicant was properly diagnosed and discharged with an Adjustment Disorder to follow current policy and ensure fundamental fairness in accordance with the Wilkie Memo.

The applicant's complete response is at Exhibit F.

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.

2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, to include the applicant's rebuttal, the Board concludes the applicant has presented evidence sufficient to demonstrate an injustice regarding part, but not all, of her request. While the Board finds no error in the original discharge process, the Board recommends partial relief based on administrative error. In particular, as presented by the Psychological Advisor, there is no evidence the applicant was diagnosed with a Personality Disorder; however, her mental health record does indicate she was diagnosed with an Adjustment Disorder with Mixed Anxiety and Depressed Mood, an unsuited medical condition. 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.

While counsel contends the applicant was not aware of her diagnosis, or that it was the basis for her discharge, this is contradicted by the Receipt of Notification Memorandum, dated 24 Jul 06, signed by the applicant acknowledging her pending discharge and its basis, as well as receipt of a copy of the detailed Statement of Medical Condition, dated 14 Jul 06, written by her mental health provider. Additionally, the applicant's signed Discharge Under AFI 36-3208 memorandum, also dated 24 Jul 06, is evidence of due process afforded during the separation action. The applicant consulted counsel and waived her right to submit a statement.

Liberal consideration was applied, with the resulting recommendation representing both fundamental fairness and accuracy of official records. Therefore, the Board recommends correcting the applicant's records as indicated below.

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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 4 Aug 06, 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 DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-02455 in Executive Session on 23 May 24 and 30 May 24:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 27 Jul 23.
Exhibit B: Documentary Evidence, including relevant excerpts from official records.
Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Liberal Consideration Guidance), dated 11 Jan 24.

Exhibit D: Advisory Opinion, AFRBA Psychological Advisor, dated 11 Jan 24.
Exhibit E: Notification of Advisory, SAF/MRBC to Counsel, dated 11 Jan 24.
Exhibit F: Counsel's Response, w/atchs, dated 20 Mar 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.

X

Board Operations Manager, AFBCMR