

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02968

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 24. *Character of Service*, be amended to reflect "Honorable" vice "Uncharacterized."

APPLICANT'S CONTENTIONS

The current characterization of her discharge resulted from a medical condition of sickle cell. On 17 Jun 20, she was discharged due to her medical condition with "Entry Level Separation – Uncharacterized Service." In her appeal, she requested upgrade of her Reentry Code which she no longer desires. She only wants her discharge paper amended from uncharacterized and upgraded to honorable. She had full intent to serve her country with dignity.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 13 Jan 20, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant entered the Air Force Reserve.

In an undated memorandum, 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*, Chapter 5, Section 5C, *Defective Enlistment*, paragraph 5.14. *Erroneous Enlistment*, and paragraph 5.15. *Fraudulent Enlistment*. The specific reasons for the action were:

- The medical staff found the applicant did not meet minimum medical standards to enlist. The applicant should not have been allowed to join the Air Force because she has a sickle-cell disorder without crisis. The medical staff found her unqualified for military service, rendering her ineligible for a disability separation.

On 15 Jun 20, the Staff Judge Advocate found the discharge action legally sufficient.

On 16 Jun 20, the discharge authority directed the applicant be discharged under the provisions of AFI 36-3208, Chapter 5, Section 5C, paragraphs 5.14. and 5.15., with an Entry Level Separation (ELS).

On 17 Jun 20, according to DD Form 214, the applicant received an Entry Level Separation, with Character of Service: Uncharacterized, Narrative Reason for Separation: Failed Medical/Physical Procurement Standards, Separation Code: JFW [Failed Medical/Physical Procurement Standards], Reentry Code: 4C [failure to meet physical standards for enlistment] and was credited with one month and seven days active service.

On 29 Nov 22, the applicant submitted a request to the Air Force Discharge Review Board (AFDRB) for an upgrade to her discharge.

On 18 Apr 23, the AFDRB denied the applicant's request to upgrade her discharge characterization, concluding the discharge was proper and equitable.

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

APPLICABLE AUTHORITY/GUIDANCE

Department of Defense Instruction (DoDI) 1332.14, *Enlisted Administrative Separations* (dated 27 Jan 14, Incorporating Change 5, Effective 12 Jun 20):

Enclosure 4, *Guidelines on Separation and Characterization*:

3. *Characterization of Service or Description of Separation*:

c. *Uncharacterized Separation*;

(1) *Entry-Level Separation*:

(a) A separation will be described as an entry-level separation if separation processing is initiated while an enlisted Service member is in entry-level status, except when:

1. Characterization under other than honorable conditions is authorized under the reason for separation (Enclosure 3) and is warranted by the circumstances of the case; or

2. The Secretary concerned, on a case-by-case basis, determines that characterization of service as honorable is clearly warranted by the presence of unusual military duty. The characterization is authorized when the Service member is separated under Enclosure 3 by reason of selected changes in service obligation, convenience of the U.S. Government, disability, secretarial plenary authority, or an approved reason established by the Military Department.

Glossary, Part II – *Definitions*:

- *Entry-Level Status*. Upon enlistment, a Service member qualifies for entry-level status during:

- The first 180 days of continuous active military service; or

- The first 180 days of continuous active service after a service break of more than 92 days of active service. A Service member of a Reserve Component who is not on active duty or who is serving under a call or order to active duty for 180 days or less begins entry-level status upon enlistment in a Reserve Component. Entry-level status for such a Service member of a Reserve Component terminates:

- One hundred eighty days after beginning training if the Service member is ordered to active duty for training for one continuous period of 180 days or more; or

- Ninety days after the beginning of the second period of active duty training if the Service member is ordered to active duty for training under a program that splits the training into two or more separate periods of active duty. For the purposes of characterization of service or description of separation, the Service member's status is determined by the date of notification as to the initiation of separation proceedings.

AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the application. Based on review of the applicant's request, there is no error or injustice with the discharge process.

Airmen are in entry level status during the first 180 days of continuous active military service. The 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 complete advisory opinion is at Exhibit C.

BCMR Medical Advisor recommends denying the application. According to service-specific guidance, "Airmen are in entry level status during the first 180 days of continuous active military service." In this case, the applicant with 37 days of active duty service is well below the 180-day benchmark and thus, an uncharacterized/ELS was appropriate.

The applicant petitions to have her discharge characterization changed from uncharacterized to honorable due to a medical condition, specifically sickle cell trait (SCT). This medical advisor finds it necessary to briefly describe the difference between having the sickle cell "trait" versus having the sickle cell "disease" (SCD). This applicant only had the trait without any known sickle cell crisis. All types of sickle cell conditions are genetic disorders caused by errors in the genes for hemoglobin (Hgb), which is responsible for carrying oxygen within the red blood cell. SCT is when an individual has only one sickle cell gene change, whereas SCD is when an individual has two sickle cell gene changes.

According to peer-reviewed medical Science Direct literature, individuals with SCT, also known as carriers of the affected Hgb gene, generally have 35 percent to 45 percent Hgb S and are usually not aware they carry the trait. SCT is not SCD and many who carry the trait will have no medical conditions related to SCD. Classic cases of SCT are electrophoresis findings of 60 percent Hgb A and approximately 35 percent to 40 percent Hgb S. This applicant's basic training screening test was even much higher in Hgb S than what is considered a classic case (64 percent versus the classic 35 percent-40 percent).

According to regulatory guidance, having the SCT (screening test positive) is not in and of itself disqualifying for entry in the Air Force and therefore, even knowing of such a condition at her entry physical examination (PE), she would not be considered disqualified. However, her screening results rendered the applicant disqualified according to DoDI 6130.03, Volume 1, *Medical Standards for Military Service: Appointment, Enlistment, or Induction*, dated 6 May 18, Section 6: *Disqualifying Conditions*, paragraph 6.22. *Blood and Blood Forming System*, subparagraph 6.22.b(3), Sickle cell trait with a hemoglobin S fraction of 45 percent or higher. In this case, it was not that she had the trait, but rather the exceedingly high level of altered Hgb that made her disqualified for service. Knowing the condition is hereditary, it clearly existed prior to service entry and therefore, the question to answer was her condition permanently aggravated above the expected natural progression of such a condition? This is in accordance with AFI 36-2910, *Line of Duty (LOD) Determination, Medical Continuation (MEDCON), and Incapacitation (INCAP) Pay*. There was no evidence to state any degree of aggravation for all her findings were secondary to simple screening and follow-up testing during a period of time where no adverse symptoms were present nor manifested during her brief period of active duty.

This medical advisor opines the hand-written note on her enlistment PE of "? Sickle cell trait, NCD" was a clear indication she indeed reported a known history of her father being positive for the trait but was completely unknown to her trait positivity; hence, the provider's question mark "?". However, being qualified in the sense of just knowing the qualitative status of her condition, it was the quantitative laboratory status and specialty follow-up care after enlistment that changed her ability to serve in the Air Force.

Although initially denoted as qualified, the applicant actually did not meet minimum medical standards for enlistment as verified (post-enlistment) by laboratory analyses. This medical

advisor has not seen evidence to refute the decision to separate the applicant nor to disagree with the denial decision of her waiver request.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent copies of the advisory opinions to the applicant on 9 May 24 for comment (Exhibit E) but has received no response.

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 concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationales and recommendations of AFPC/DP2SSR and the BCMR Medical Advisor and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant was diagnosed with a disqualifying medical condition in accordance with DoDI 6130.03, Volume 1 which, due to its hereditary nature, was determined to exist prior to service, justifying her ELS from the Air Force. There was insufficient evidence to refute the decision to separate the applicant or disagree with the decision to deny her request for waiver. The characterization of the applicant's service was in accordance with DoDI 1332.14. 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

The following quorum of the Board, as defined in 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-2023-02968 in Executive Session on 17 Jul 24:

, 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/atchs, dated 23 Aug 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2SSR, undated.
- Exhibit D: Advisory Opinion, BCMR Medical Advisor, dated 5 May 24.
- Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 9 May 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