



UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2025-00006

[REDACTED]

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her general (under honorable conditions) discharge upgraded to a medical separation.

APPLICANT'S CONTENTIONS

While she was in the service, she was denied the full extent of the options available to her at the time of her discharge. At the time of her discharge, she was having problems breathing and was later diagnosed with asthma. She was told she could wait and be processed for a medical separation or receive a general (under honorable conditions) discharge.

In support of her request for a discharge upgrade, the applicant provides a family leave form and her discharge document.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 18 Jul 96, the applicant received a general (under honorable conditions) discharge. Her narrative reason for separation is "Unsatisfactory Performance" and she was credited with seven months and six 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.

POST-SERVICE INFORMATION

AFBCMR Docket Number BC-2025-00006

Controlled by: SAF/MRB
CUI Categories: [REDACTED]
Limited Dissemination Control: N/A
POC: SAF_MRBC_Workflow@us.af.mil

On 21 Jul 25, the Board sent the applicant a request for post-service information, including a standard criminal history report from the Federal Bureau of Investigation (FBI); however, she has not replied.

APPLICABLE AUTHORITY/GUIDANCE

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 4 Apr 24, the Under Secretary of Defense for Personnel and Readiness issued a memorandum, known as the Vazirani Memo, to military corrections boards considering cases involving both liberal consideration discharge relief requests and fitness determinations. This memorandum provides clarifying guidance regarding the application of liberal consideration in petitions requesting the correction of a military or naval record to establish eligibility for medical retirement or separation benefits pursuant to 10 U.S.C. Section 1552. It is DoD policy the application of liberal consideration does not apply to fitness determinations; this is an entirely separate Military Department determination regarding whether, prior to “severance from military service,” the applicant was medically fit for military service (i.e., fitness determination). While the military corrections boards are expected to apply liberal consideration to discharge relief requests seeking a change to the narrative reason for discharge where the applicant alleges combat- or military sexual trauma (MST)-related PTSD or TBI potentially contributed to the circumstances resulting in severance from military service, they should not apply liberal consideration to retroactively assess the applicant's medical fitness for continued service prior to discharge in order to determine how the narrative reason should be revised.

Accordingly, in the case of an applicant described in 10 U.S.C. Section 1552(h)(1) who seeks a correction to their records to reflect eligibility for a medical retirement or separation, the military corrections boards will bifurcate its review.

First, the military corrections boards will apply liberal consideration to the eligible Applicant's assertion that combat- or MST-related PTSD or TBI potentially contributed to the circumstances resulting in their discharge or dismissal to determine

whether any discharge relief, such as an upgrade or change to the narrative reason for discharge, is appropriate.

After making that determination, the military corrections boards will then separately assess the individual's claim of medical unfitness for continued service due to that PTSD or TBI condition as a discreet issue, without applying liberal consideration to the unfitness claim or carryover of any of the findings made when applying liberal consideration.

On 21 Jul 25, the Board staff provided the applicant a copy of the clarifying guidance (Exhibit C).

Department of the Air Force Instruction (DAFI) 36-3211, *Military Separations*, describes the authorized service characterizations.

Honorable. The quality of the airman's service generally has met Department of the 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.

General (Under Honorable Conditions). 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 member's military record.

AIR FORCE EVALUATION

The AFRBA Medical Advisor recommends denying the applicant's request for a medical separation. The applicant did not submit any service treatment records, nor was there any medical information from her time in service available for review. There were no military records provided that documented profile limitations, commander impact statements, etc., that described any medical limitations on her military duties. There are no records supporting the applicant had any unfitting medical conditions, including asthma or any other respiratory conditions, that would support the applicant's request for a medical discharge/retirement.

There was no documentation provided regarding any profiles or duty limitations that referenced a respiratory condition, including asthma, no records reporting she was not deployable or worldwide qualified due to a respiratory condition, and no letters of support from her commander referencing her medical condition during this time, and how or if her condition had impacted her ability to reasonably perform her military duties in accordance with her office, grade, rank, and rating. Due to the absence of these essential records and information, there is no evidence or record the applicant had any potentially unfitting medical conditions, including asthma, that would meet the criteria to be referred to the Medical Evaluation Board (MEB). The applicant submitted a report from her post-service medical provider, a pulmonologist, lung specialist, discussing the severity and treatment of her asthma. However, this evidence provides documentation of a medical condition that occurred 23-28 years after separation from active duty. Although the provider notes it is a life-long/chronic condition, the provider wrote the approximate date the condition

commenced was Nov 19. There was no documentation, the condition existed during the applicant's time in service, and no evidence the condition could have potentially rendered her to be unfit. The burden of proof is with the applicant to present evidence to support her claim.

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 20 Aug 25 for comment (Exhibit E) but received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed. Given the requirement for passage of time, all discharge upgrade requests under fundamental fairness or clemency are technically untimely. However, it would be illogical to deny a discharge upgrade application as untimely, since the Board typically looks for over 15 years of good conduct post-service. Therefore, the Board declines to assert the three-year limitation period established by 10 U.S.C. Section 1552(b).
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 applicant was discharged for unsatisfactory performance according to her discharge document but no other discharge documents were available for review; therefore, the Board considers her discharge was consistent with the substantive requirements of the discharge regulation and was within the commander's discretion under the presumption of regularity. Additionally, the Board concurs with the rationale and recommendation of the AFRBA Medical Advisor and finds a preponderance of the evidence does not substantiate the applicant's contentions. No medical records were submitted, and no medical records were found to support the applicant's contentions. The applicant has the burden of proof for providing evidence in support of her claim; therefore, the Board finds no evidence she had any unfitting medical condition which would have qualified for a medical separation. The mere existence of a medical diagnosis does not automatically determine unfitness and eligibility for a medical separation or retirement. A Service member shall be considered unfit when the evidence establishes the member, due to physical disability, is unable to reasonably perform the duties of his or her office, grade, rank, or rating. In the interest of justice, the Board considered upgrading the discharge and contemplated the many principles included in the Wilkie Memo to determine whether to grant relief based on an injustice or fundamental fairness but, given the evidence presented, and in the absence of post-service information and a criminal history background check, the Board finds no basis to do so. Therefore, the Board recommends against correcting the applicant's record. The applicant retains the right to request reconsideration of this decision. The applicant may provide post-service evidence depicting his current moral character, occupational, and social advances, in the consideration for an upgrade of discharge characterization due to clemency based on fundamental fairness.

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 DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2025-00006 in Executive Session on 18 Sep 25 and 21 Sep 25:

[REDACTED], Panel Chair

[REDACTED] Panel Member

[REDACTED], Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 27 Dec 24.

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 21 Jul 25.

Exhibit D: Advisory Opinion, AFRBA Medical Advisor, dated 19 Aug 25.

Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 20 Aug 25.

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.

9/23/2025

Board Operations Manager, AFBCMR

Signed by: [REDACTED]

AFBCMR Docket Number BC-2025-00006