

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2007-01145  
INDEX CODE: 110.02

COUNSEL: NONE  
HEARING DESIRED: NO

**MANDATORY CASE COMPLETION DATE: 12 OCTOBER 2008**

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APPLICANT REQUESTS THAT:

His Separation Program Designator (SPD) Code of "JFY" [Adjustment Disorder] be changed to an SPD code that will entitle him to Transition Assistance Program (TAP) benefits.

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APPLICANT CONTENDS THAT:

His SPD code is incorrect. The error was discovered at the time of his separation; however, due to a rush to separate him no later than his separation date the error was not corrected.

If his SPD code were changed he would be eligible for TAP benefits. Specifically, he wants the two years Commissary/BX/MWR benefits as indicated in AFI 36-3022, *Transition Assistance Program*, dated 1 Sep 99.

In support of his request, applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty* and AF IMT 100, *Request and Authorization for Separation*.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

Applicant enlisted in the Regular Air Force on 20 Sep 05, in the grade of airman basic, for a period of four years.

Applicant's commander notified him on 7 Feb 07 that she was recommending discharge from the Air Force for Mental Disorders, specifically, an Adjustment Disorder with Mixed Disturbances of Emotions and Conduct. The commander recommended an honorable discharge based on a Mental Health Evaluation reflecting the following diagnoses: Axis I: Adjustment Disorder with Mixed Disturbance of Emotions and Conduct, Axis II: Diagnosis Deferred, Axis III: Noncontributory, Axis IV: Problems related to occupations, primary support and social environment, and Axis V: Current: 55. It was also determined applicant was deemed

not suitable for continued military service based on the above diagnoses.

Applicant acknowledged receipt of the notification of discharge and consulted with counsel and submitted statements in his own behalf. On 20 Feb 07, the base legal office reviewed the case and found it legally sufficient to support separation and recommended applicant be discharged with an honorable discharge without probation and rehabilitation. The discharge authority approved the separation and directed that applicant be discharged with an honorable discharge without probation and rehabilitation.

On 28 Feb 07, applicant was honorably discharged under the provisions of AFI 36-3208, with separation code JFY (Adjustment Disorder), and was issued an RE Code of 2B. He served on active duty for a period of 1 year, 5 months and 11 days.

EXAMINER'S NOTE: Corrective action has been taken to change applicant's reenlistment eligibility code on his DD Form 214, from "2B" (Separated with a general or under other than honorable conditions (UOTHC) discharge) to "2C" (Involuntarily separated with an honorable discharge; or entry level separation without characterization of service).

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AIR FORCE EVALUATION:

HQ AFPC/DPPRS recommends the application be denied, and states, in part, based on the documentation on file in the master personnel records, the discharge was consistent with the procedural and substantive requirements of the discharge regulation. The discharge was within the discretion of the discharge authority.

Applicant did not submit any evidence or identify any errors or injustices that occurred in the discharge processing. Applicant's Separation Program Designator (SPD) is correct and he provided no facts warranting a change to his SPD code.

The DPPRS evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 24 May 07, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days. To date, a response has not been received.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.

2. The application was timely filed.

3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered Docket Number BC-2007-01145 in Executive Session on 19 July 2007, under the provisions of AFI 36-2603:

Mr. Michael K. Gallogly, Panel Chair  
Ms. Teri G. Spoutz, Member  
Ms. Patricia R. Collins, Member

The following documentary evidence pertaining to Docket Number BC-2007-01145 was considered:

Exhibit A. DD Form 149, dated 9 Apr 07, w/atchs.  
Exhibit B. Applicant's Master Personnel Records.  
Exhibit C. Letter, AFPC/DPPRS, dated 20 Apr 07.  
Exhibit D. Letter, SAF/MRBR, dated 24 May 07.

MICHAEL K. GALLOGLY  
Panel Chair