



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

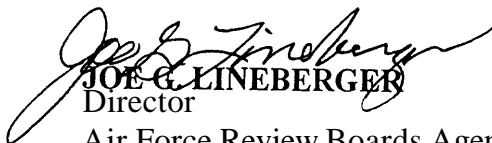
DEC 02 1997

AFBCMR 96-03735

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that his reenlistment eligibility (DE) code, issued in conjunction with his Honorable Discharge on 14 October 1994, was "RE-3K."


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 96-03735

COUNSEL: NONE

HEARING DESIRED: NO

DEC 02 1997

APPLICANT REQUESTS THAT:

His reenlistment eligibility (RE) code be changed to allow enlistment in the U. S. Naval Reserve-.

APPLICANT CONTENDS THAT:

He was a valuable member of the active duty military service and would like the opportunity to serve in the U. S. Naval Reserve. The Navy recruiters have asked him to submit a DD Form 149 to have his RE code changed to a positive code.

In support of his request, applicant submits a copy of his memorandum to the U. S. Naval Reserve Recruiting Service. He also submits documentation from his military records pertaining to the AFR 39-10 discharge action and numerous letters of appreciation and recommendation.

Applicant's submission is attached at Exhibit A.

STATEMENT OF FACTS:

Applicant enlisted in the Regular Air Force on 23 January 1992 for a period of four (4) years in the grade of airman (E-2).

On 9 September 1994, applicant was notified of his commander's intent to recommend discharge action under the provisions of AFR 39-10, paragraph 5-26c, Unsatisfactory Performance, with an honorable discharge. The reasons for the action were: (1) Applicant failed his end of course examination for AFSC 2S031 with a score of 43%, a passing score being 65%, the results of which were received on 12 March 1993, for which the applicant received verbal counseling. (2) Applicant failed his end of course examination for Air Force Specialty Code (AFSC) 2S031 with a score of 63%, a passing score being 65%, the results of which were received on 25 June 1993, for which the applicant received verbal counseling.

Subsequently the discharge action was found legally sufficient to support a finding that applicant was subject to discharge for unsatisfactory performance under AFR 39-10, specifically, failure to progress in on-the-job training. The Discharge Authority approved the discharge and directed that applicant be discharged with an honorable discharge without probation and rehabilitation.

Applicant was honorably discharged on **14 October 1994**, in the grade of airman first class, under the provisions of AFR 39-10 (Unsatisfactory Performance). He served 2 years, 8 months and 22 days of active military service. The RE code issued in conjunction with the discharge was "RE 2K."

AIR FORCE EVALUATION:

The Chief, Skills Management Branch, HQ AFPC/DPPAE, states that the RE code 2K is used to indicate a member has been formally notified by the unit commander on initiation of involuntary separation action. The applicant was notified of involuntary separation action on 9 September 1994.

A copy of the Air Force evaluation is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant states, in summary, that his superiors fought for over a year to retain him on active duty. He wants the opportunity to serve his country and all he asks is that the Board give his case as much consideration as possible.

A copy of the applicant's response is attached at Exhibit E.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting relief. At the outset, after reviewing the applicant's DD Form 214, Certificate of Release or Discharge From Active Duty, the RE code assigned at the time of his separation was RE 2K. This RE code reflects that a member "Has been formally notified by the unit commander of initiation of involuntary separation action." It appears that this RE code was

entered into the Personnel Data System (PDS) at the time the applicant's commander was considering discharge action against him. However, the RE code 2K is not assigned at the time a member is separated and is incorrectly reflected on the DD Form 214. The correct RE code which should have been assigned at the time of applicant's separation was RE 2C, which reflects "Involuntarily separated with an honorable discharge; or entry level separation without characterization of service." This RE code could have been administratively corrected.

4. After reviewing the evidence of record and applicant's submission, we note that at the time of separation, members are furnished an RE code predicated upon the quality of their service and circumstances of their separation. At the time an RE code is assigned, it reflects the Air Force position regarding whether or not or under what circumstances the individual should be allowed to reenlist. We do believe that the RE code 2C would have been the correct code at the time of applicant's separation. However, we note that for the period of time applicant served in an active status, the only reason for the discharge action was his failure to progress in on-the-job training in his AFSC. Applicant states that he would like the opportunity to serve in the U. S. Naval Reserve and the recruiters have asked him to request a correction of his records to reflect a positive RE code. Although we do not believe his RE code should be changed to a code to allow immediate reenlistment, we do believe it should be changed to a waiverable code and he should be given the opportunity to enlist in another service, predicated on the needs of that service. Therefore, we recommend the applicant's records be corrected to the extent indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that his reenlistment eligibility (RE) code, issued in conjunction with his Honorable Discharge on 14 October 1994, was "RE-3K."

The following members of the Board considered this application in Executive Session on 4 November 1997, under the provisions of AFI 36-2603:

Mr. LeRoy T. Baseman, Panel Chairman
Mr. David W. Mulgrew, Member
Mr. Joseph G. Diamond, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 17 Dec 96, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPPAE, dated 10 Jan 97.
- Exhibit D. Letter, AFBCMR, dated 3 Feb 97.



LEROY T. BASEMAN
Panel Chairman



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

U.S. AIR FORCE



10 JAN 1997


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MEMORANDUM FOR THE AFBCMR

FROM: HQ AFPC/DPPAE
550 C Street West, Ste 10
Randolph AB TX 78150-4712

SUBJECT: Application for Correction of Military Records
[REDACTED]

Review **pf** the applicant's file revealed that his reenlistment eligibility (RE) code of 2K is correct. **RE** code **2K** is used to indicate a member has been formally notified by the unit commander on initiation of involuntary separation action. The applicant was notified of involuntary separation action on 9 Sep 94.


C. RAMLOGAN, CMSgt, USAF
Chief, Skills Management Branch
Directorate of Personnel Program Mgt



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