

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-03689

COUNSEL: NONE

JUN 12 1998

HEARING DESIRED: NO

[REDACTED]
[REDACTED]

Applicant requests that the separation code on his DD Form 214 be changed from "JFL" to "SFK" to allow eligibility to enlist in the Reserves. Applicant's submission is at Exhibit A.

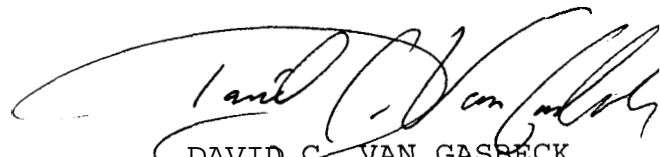
The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. David C. Van Gasbeck, Mr. Richard A. Peterson, and Mr. Kenneth L. Reinertson considered this application on 9 June 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


DAVID C. VAN GASBECK
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinions
- D. SAF/MIBR Ltr Forwarding Advisory Opinions

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

13 Jan 98

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPD
550 C Street West Ste 06
Randolph AFB TX 78150-4708

SUBJECT: Application for Correction of Military Records [REDACTED]
[REDACTED]

REQUESTED ACTION: Applicant requests that the Separation Code on his DD Form 214, Certificate of Release or Discharge from Active Duty, be changed from "JFL" to "SFK" in order that he can enter the Reserves.

FACTS: Applicant was found unfit for further military service and discharged with severance pay with a **10** percent compensable disability rating after serving three years, three months, and twenty-six days on active duty. Member received \$7,255.80 in disability severance pay.

DISCUSSION: A Medical Evaluation Board (MEB) was conducted on 29 Nov 95 at Malmstrom Air Force Base for a diagnosis of Reactive Airway Disease. The medical data was referred to the Informal Physical Evaluation Board (IPEB) for evaluation and the member was found unfit for continued military service. The IPEB recommended he be discharged with severance pay with a 10 percent disability rating. The applicant did not concur with these findings and requested a formal board hearing.

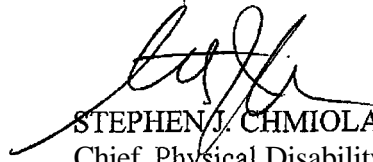
On 22 Jan **96**, with the assistance of legal counsel, the applicant presented his case before the Formal PEB at Lackland AFB. The Board agreed with the findings of the IPEB, found **him** unfit for continued military service, and recommended his discharge with severance pay with a 10 percent disability rating. Again, the member did not concur with the findings and advised the Board that he wanted to submit a written rebuttal to the Air Force Personnel Council (AFPC). His rebuttal was suspended for **5** Feb 96. Applicant did not provide a rebuttal by the suspense date and subsequently officials in the Office of the Secretary of the Air Force approved the findings of the previous two boards and directed the applicant's discharge with severance pay **and** a 10 percent disability rating. Discharge was effective 25 Mar **96**.

A thorough review of the case file revealed no errors or irregularities in the processing of the applicant's case within the disability evaluation system. He was appropriately found unfit for

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continued military service and properly rated under federal disability rating guidelines. The member was afforded all rights to which he was entitled under disability law and departmental policy.

CONCLUSION: We defer to the appropriate OPR regarding the applicant's request to change his separation code. The applicant's separation code "JFL" indicates he was separated by reason of physical disability and entitled to disability severance pay. This code **was** correct at the time of his discharge. Further, we defer to the correct OPR as to the appropriateness of a waiver of entry standards to **allow** his reenlistment in the armed forces.



STEPHEN J. CHMIOLA, Colonel, USAF
Chief, Physical Disability Division
Directorate of Pers Prog Management



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

MEMORANDUM FOR AFBCMR

27 FEB 1998

FROM HQ AFPC/DPPAES
550 C Street West Ste 10
Randolph AFB TX 78150-4712

SUBJECT: Application for Correction of Record - [REDACTED]

A review of applicant's case file was conducted. The Reenlistment Eligibility (RE) Code "2Q" is correct. The type of discharge **drove** assignment of the RE code.

A handwritten signature in cursive script, reading "Kathleen R. Lopez", is positioned above the typed name.

KATHLEEN R. LOPEZ, MSgt, USAF
Special Programs and BCMR Manager
Dir of Personnel Program Management



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

MEMORANDUM FOR AFBCMR

FEB 26 1998

FROM: HQ AFPC/DPPRS
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records - [REDACTED]

Requested Action. The applicant is requesting a change in the Separation code on his DD Form 214 he received for his disability discharge from "JFL" to SFK".

Recommendation. Denial. We concur with HQ AFPC/DPPD that the Separation Code the applicant received on his DD Form 214 is correct and that no administrative correction is required.

JOHN C. WOOTEN, GS-9
Military Personnel Mgmt Spec
Separations Branch
Dir of Personnel Program Management