RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2009-01107

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT REQUESTS THAT:

His Reenlistment Eligibility (RE) code of 2C (Entry level separation without characterization of service) be changed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT CONTENDS THAT:

He wanted to stay in the Air Force. People have done far worse and did not get discharged. He thinks he deserves a second chance to do well.

In support of his request, the applicant provides a copy of his DD Form 214, *Certificate of Release or Discharge From Active Duty*.

The applicant’s complete submission, with attachment, is at Exhibit A.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATEMENT OF FACTS:

Applicant’s military personnel records indicate he enlisted in the Regular Air Force on 12 Aug 08 for a period of four years in the grade of airman basic (E-1).

On 4 Feb 09, the applicant was notified by his commander of his intent to recommend his discharge from the Air Force for entry level performance and conduct in accordance with AFI 36-3208, *Administrative Separation of Airmen*.

The reasons for the action were:

a.  He failed to make satisfactory progress in a required training program. Specifically, he failed the Block 3, Unit 6 test twice and the Block 6, Unit 2 test with scores of 64%, 44% and 68%, respectively, when the minimum passing score was 72%. As a result, he was disenrolled from technical training on 20 Jan 09.

b.  He did, on or about 7 Dec 08, fail to refrain from consuming alcohol while under the legal drinking age of 21, for which he received a letter for reprimand and an unfavorable information file.

On 4 Feb 09, the applicant acknowledged receipt of the notification of discharge, subsequently submitting a written statement on his behalf.

On 20 Feb 09, the case was found legally sufficient and the discharge authority subsequently approved the commander’s recommendation, directing the applicant’s involuntary separation.

On 26 Feb 09, the applicant was furnished an entry level separation with uncharacterized service and was credited with 6 months and 15 days of total active service.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AIR FORCE EVALUATION:

AFPC/DPSOS recommends denial, indicating there is no evidence of error or injustice. Based on the documentation on file in the master personnel records, the discharge, to include the service characterization, was appropriately administered and within the discretion of the discharge authority.

A complete copy of the AFPC/DPSOS evaluation is at Exhibit C.

AFPC/DPSOA recommends denial, indicating there is no evidence of an error or injustice. Members who receive an entry level separation with uncharacterized service receive an RE code of 2C.

A complete copy of the AFPC/DPSOA evaluation is at Exhibit D.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluations were forwarded to applicant on 16 Oct 09 for review and comment within 30 days. As of this date, no response has been received by this office (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.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice warranting a change to the applicant’s RE code. 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 offices of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence the applicant’s RE code of 2C, issued in conjunction with his entry level separation, was erroneously assigned or inaccurately reflected the circumstances of his separation, we find no compelling basis to recommend granting the relief sought in this application.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following members of the Board considered AFBCMR Docket Number BC-2009-01107 in Executive Session on 18 Nov 09, under the provisions of AFI 36-2603:

XXXXXXXXXX, Panel Chair

XXXXXXXXXX, Panel Member

XXXXXXXXXX, Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 23 Mar 09, w/atch.

Exhibit B. Applicant's Master Personnel Records.

Exhibit C. Letter, AFPC/DPSOS, dated 17 Aug 09.

Exhibit D. Letter, AFPC/DPSOA, dated 18 Sep 09.

Exhibit E. Letter, SAF/MRBR, dated 16 Oct 09.

XXXXXXXXXX

Panel Chair