

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00227

COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His Re-entry (RE) code of "2C," *Approved Honorable Involuntary Separation or Entry Level Separation*, be changed to:

a. "3B" *Selective Reenlistment Program Consideration Decision is Pending, or*

b. "1M" *Eligible Second Term/Career Airman Not Yet Considered Under Selective Reenlistment Program (SRP), or*

c. "1P" *Second Term or Career Airman Selected Under SRP, or*

d. "1Q" *Career Airman Selected Under SRP With Over 20 Years Total Active Federal Military Service (TAFMS).*  
0272

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APPLICANT CONTENDS THAT:

Over the 4<sup>th</sup> of July weekend in 2011 he received a citation for "minor in consumption of alcohol." He had enlisted in the Air Force Reserve and was scheduled to begin Basic Military Training (BMT) on 26 July 2011. He notified his recruiter and the recruiter told him to ensure the citation was "taken care of" before he departed for BMT. He appeared in court on 15 July 2011, pled guilty, was fined \$182.00 and ordered to attend alcohol awareness education. The judge was aware he was enlisting in the Air Force and told him he could send documentation of military alcohol awareness training when it was completed. He arranged a payment schedule for the fine.

He was in his 5<sup>th</sup> week of BMT when he was notified that a background check uncovered the alcohol incident, his Air Force Reserve unit did not want him any longer and he was being moved to a transition flight and processed for discharge. He notified his father who paid the court fine and asked the judge to dismiss the requirement for the alcohol awareness education.

He sincerely believed he had complied with his recruiter's instruction to take care of the citation. He did not realize

that not having the case completely adjudicated would affect his Air Force enlistment. He wants very much to serve his country in the military. He respectfully requests to have his discharge characterized in a way that remains honorable but has a reenlistment code that would allow him to enlist in the Air Force or another service.

In support of his request, the applicant provides a personal statement, a copy of his DD Form 214, *Certificate of Release or Discharge from Active Duty*, and related court documents.

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

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STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 1 August 2011. On 6 September 2011, his commander notified him that he was recommending him for discharge under the provisions of Air Force Policy Directive (AFPD) 36-32, *Military Retirements and Separations* and Air Force Instruction (AFI) 36-3208 *Administrative Separation of Airmen, Chapter 5, Section C, Defective Enlistments* paragraph 5.14, under Basis of Discharge for Erroneous Enlistment. Specifically, the applicant had an open law violation and did not meet the requirements to enlist.

The applicant acknowledged his commander's intent to discharge him as well as his right to consult counsel and submit statements on his behalf. He waived his right to consult counsel and submit statements on his behalf. Subsequent to the file being found legally sufficient the discharge authority approved the recommendation and directed that the applicant be discharged. On 8 September 2011 the applicant was separated with an entry level separation. His service was "uncharacterized" and his narrative reason for separation was listed as "Erroneous Entry (Other)".

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AIR FORCE EVALUATION:

AFRC/A1K recommends denial. A1K states the applicant's RE Code of 2C is accurate based on his receipt of an entry level separation while attending Basic Military Training. Reentry Code 2C does not prevent reentry in the Air Force or Air Force Reserve. Given such, and since the applicant did not provide any documentation to substantiate an error was made, there is no basis for correction.

The complete AFRC/A1K evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 27 March 2012 for review and comment within 30 days (Exhibit D). To date, this office has not received a response.

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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 an error or an injustice that would warrant relief. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendations of the Air Force office of primary responsibility that the RE code which was assigned at the time of his separation accurately reflects the circumstances of his separation. 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 this application BC-2012-00227 in Executive Session on 31 July 2012, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149 dated 17 January 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFRC/A1K, dated 12 March 2012.
- Exhibit D. Letter, SAF/MRBR, dated 27 March 2012.

Panel Chair