

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01029

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her separation (SPD) code "HDG" (*involuntary convenience of the Government*) and her reentry (RE) code "2C" (*involuntarily separated with an honorable discharge; or entry level separation without characterization of service*) be changed to allow her to enter the Air National Guard (ANG).

APPLICANT CONTENDS THAT:

At the time she was discharged from the Air Force, she had a young son. Both her and her husband were active duty and were unable to provide long term care for their son in the event they were deployed at the same time.

The problem no longer exists as both of her sons are active duty and serving in the Marine Corps. She would like her SPD and RE codes changed to render her eligible to enter the ANG.

The applicant provides no supporting documentation.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 10 June 1986. On 12 May 1992, the applicant was notified of her commander's intent to discharge her from the Air Force for convenience for the Government. Specifically, she was unavailable for worldwide assignment or deployment due to parenthood. She acknowledged her right to an administrative discharge board, to be represented by military counsel and to submit statements on her behalf. She declined to have her case heard by a discharge board and to submit matters on her behalf. The case was found legally sufficient on 20 May 1992. On 16 June 1992, the commander directed that she be discharged from the Air Force with an honorable discharge. Her SPD Code was listed as HDG and her RE code was listed as 2C. She was credited with 6 years and 13 days of active duty service.

AIR FORCE EVALUATION:

AFPC/DPSOS recommends denial. Air Force Regulation 39-10, states airmen are subject to discharge if they fail to meet their military obligations concerning dependent care responsibilities. These responsibilities include making and maintaining dependent care arrangements that allow active duty members to be world-wide available at all times.

Based on documentation in the applicant's personnel file, the discharge was consistent with the procedural and substantive requirements of the discharge instruction and was within the discretion of the discharge authority. The applicant did not submit evidence of an error or injustice that occurred during the discharge process.

The complete DPSOS evaluation is at Exhibit C.

AFPC/DPSOA recommends denial. The applicant's RE Code is required per AFI 36-2606, *Reenlistments in the USAF*, based on her involuntary discharge with honorable character of service. If a military recruiter believes she is otherwise eligible and wants to enlist the applicant, a waiver of the RE code would be appropriate.

The applicant has not provided evidence of an error or injustice during the discharge process.

The complete AFPC/DPSOA evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 19 June 2012, for review and comment within 30 days (Exhibit E). As of this date, this office has received no response.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's submission in judging the merits of the case;

however, we are not persuaded that a change in the record is warranted. Therefore, we agree with the opinions and recommendations of the Air Force offices of primary responsibility, and adopt their rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. In the absence of evidence to the contrary, we find no 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-2012-01029 in Executive Session on 11 September 2012 under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 4 Mar 12.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOS, dated 27 Apr 12.
- Exhibit D. Letter, AFPC/DPSOA, dated 30 May 12.
- Exhibit E. Letter, SAF/MRBR, dated 19 Jun 12.

Panel Chair