

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01032
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His reentry (RE) code of "2C - *Involuntarily separated with an honorable discharge; or entry level separation without characterization of service,*" be changed to allow him to reenter the military.

APPLICANT CONTENDS THAT:

He admits his fraudulent entry into the Air Force was wrongful on his part; however, he was not aware he could get a waiver for his previous medical condition. He did not have a problem with Asthma, and had not taken medication for many years. He hopes his naïve judgment and valuable lesson learned will not prevent him from his dream of serving in the Air Force.

The applicant has not provided any evidence in support of his appeal.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 30 August 2010. The applicant indicated in Item 10d of his DD Form 2807, *Report of Medical History* that he did not have, or ever had Asthma. According to a Chronological Record of Medical Care, dated 14 September 2010, it was discovered the applicant had a history of Asthma, and as a result, it was recommended that he be separated from the service for this condition.

On 20 September 2010, his commander notified the applicant of his intent to recommend him for discharge for fraudulent entry under the authority of Air Force Program Directive (AFPD) 36-32 and Air Force Instruction (AFI) 36-3208, Chapter 5, Section 5C, *Defective Enlistments*, Paragraph 5.15. The applicant acknowledged receipt and waived his rights to consult counsel and to submit a statement in his own behalf. On 24 September 2010, the discharge authority approved the recommended discharge and directed the applicant be discharged with an entry level separation.

The applicant was honorably discharged effective 28 September 2010, in the grade of airman basic (E-1). His DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects his RE code as "2C" and a narrative reason for separation as "*Fraudulent Entry into Military Service.*"

AIR FORCE EVALUATION:

AFPC/DPSOA recommends denial. DPSOA states the applicant's RE Code of "2C" is required per AFI 36-2606, *Reenlistments in the USAF*, based on his involuntary discharge and uncharacterized service. The applicant does not provide evidence of an error or injustice in reference to his RE Code.

The complete DPSOA 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 21 August 2012, for review and comment within 30 days. 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 timely filed.
 3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. 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 office of primary responsibility and adopt its rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no 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.

The following members of the Board considered AFBCMR Docket Number BC-2012-01032 in Executive Session on 1 November 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2012-01032:

- Exhibit A. DD Form 149, dated 3 Mar 12.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOA, dated 31 Jul 12.
- Exhibit D. Letter, SAF/MRBR, dated 21 Aug 12.

Panel Chair