

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02674
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*) and separation code "JFC" (*Erroneous Entry - Other*) be changed to allow him to reenter the military.

APPLICANT CONTENDS THAT:

He was forced to reclassify out of his guaranteed career field of Security Forces based on a false medical diagnosis that he had stress fractures.

When forced to reclassify, he was never given the option to separate, which was promised in his enlistment contract. He was instructed by his commander to claim he had migraines since before he entered the military and that he would be able to reenter the Air Force within the year. He would not have complied with his commander's suggestion had he known he would not be able to reenlist at a later date. Instead, he would have chosen to separate and reenlist subsequent to his separation date.

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

STATEMENT OF FACTS:

The applicant entered active duty in the Regular Air Force effective 6 January 2009 and was progressively promoted to the grade of airman first class (E-3). A Record of Administrative Training Action, dated 26 May 2009, indicates the applicant was diagnosed with stress fractures by his health care provider on 14 May 2009. The medical provided recommended the applicant be considered for reclassification into an Air Force Specialty Code (AFSC) less strenuous than Security Forces. As a result, the applicant was removed from the Security Forces Apprentice Course and reclassified into the Air Transportation Helper Career field.

A Chronological Record of Medical Care, dated 26 August 2009, indicates the applicant sought medical evaluation for chronic headaches; a condition so severe it prevented continued training. According to the treating physician's assistant and staff physician, the applicant's condition existed prior to enlistment.

On 22 September 2009, the applicant's commander notified him of his intent to recommend him for discharge for erroneous enlistment based on the 26 August 2009 medical record entry. The applicant acknowledged the commander's notification of discharge and waived his right to consult legal counsel and to submit statements in his own behalf. After the base legal office found the case to be legally sufficient, the discharge authority approved the separation and directed the applicant be discharged with an honorable characterization of service without probation and rehabilitation.

On 29 September 2009, the applicant was honorably discharged for Erroneous Entry with a separation code of "JFC" and an RE Code of "2C" after serving 8 months and 24 days on active duty.

AIR FORCE EVALUATION:

AFPC/DPSOA recommends denying the applicant's request to change his RE code. DPSOA states the applicant's RE Code of "2C" is required per AFI 36-2606, *Reenlistments in the USAF*, based on his involuntary discharge with honorable characterization of service. The applicant does not provide evidence of an error or injustice in reference to his RE Code. Although he contends that if he had been allowed to, he would have separated before being reclassified; however, had he separated at that time, his RE code would still have been "2C."

The complete DPSOA evaluation is at Exhibit C.

AFPC/DPSOR recommends denial. DPSOR states that had the Air Force known of the applicant's condition, he would not have been allowed entry in the military. Although he states he passed the Military Entrance and Processing Station and Basic Military Training with no problems, his medical condition does not meet assessment standards.

DPSOR indicates that based on the documentation on file in the master personnel records, the applicant's discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority.

The complete DPSOR evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 30 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 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. 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-2012-02674 in Executive Session on 14 March 2013, under the provisions of AFI 36-2603:

_____, Vice Chair
_____, Member
_____, Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2012-02674:

- Exhibit A. DD Form 149, dated 12 Jun 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOA, dated 13 Jul 12.
- Exhibit D. Letter, AFPC/DPSOR, dated 20 Aug 12.
- Exhibit E. Letter, SAF/MRBR, dated 30 Aug 12.

Vice Chair