

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

FEB 24 1999

IN THE MATTER OF:

[REDACTED]
[REDACTED]

DOCKET NO: 97-03575

COUNSEL: NONE

HEARING DESIRED: YES

Applicant requests that her reenlistment eligibility (RE) code of **2Q** be changed to allow eligibility to reenter the military. By amendment, she requests an age waiver be approved. RE code **2Q** is defined as "Personnel retired or discharged under AFR 35-4." Applicant's submission is at Exhibit A.

The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). Applicant's response to the advisory opinions is at Exhibit E.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to **warrant** corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been adequately rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to **our** understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

The Board **staff** is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which **was** not reasonably available at the time the application was filed.

Members of the Board Mr. Benedict A. Kausal IV, Mr. Patrick R. Wheeler, and Mrs. Margaret A. Zook considered this application on 5 January 1999 in accordance with the provisions of Air Force Instruction **36-2603**, and the governing statute, 10, U.S.C. **1552**.


BENEDICT A. KAUSAL IV
Panel Chair

Exhibits:

- A. Applicant's DD Forms **149**
- B. Available Master Personnel Records
- C. Advisory Opinions
- D. SAF/MIBR Ltr Forwarding Advisory Opinions
- E. Applicant's Response



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNELCENTER
RANDOLPH AIR FORCE BASE TEXAS

23 JUL 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPAES
550 C Street West Ste 10
Randolph AFB TX 78150-4712

SUBJECT: Application for Correction of Record [REDACTED]

We conducted a review of applicant's case file. The Reenlistment Eligibility (RE) Code "2Q" is correct. The type of discharge drove assignment of the RE code.


KATHLEEN R. LOPEZ, MSgt, USAF
Special Programs and BCMR Manager
Dir of Personnel Program Management

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8 July 1998
97-03575

MEMORANDUM FOR AFBCMR

FROM: BCMR Medical Consultant
1535 Command Drive, EE Wing, 3rd Floor
Andrews AFB MD 20762-7002

SUBJECT: Application for Correction of Military Records
[REDACTED]

Applicant's entire case file has been reviewed and is forwarded with the following findings, conclusions and recommendations.

REQUESTED ACTION: Applicant was separated with severance pay and 10% disability on 20 Mar 89 for bilateral stress fractures of lower legs after serving 8 months and 16 days on active duty. She applies now to change her reentry code from "2Q" so as to be eligible to reenter the military.

FACTS: The applicant met a Medical Evaluation Board on 10 Feb 89 after prolonged treatment for stress phenomenon ("stress fractures") of her legs which had incapacitated her to the point of being confined to desk work. Upon review by the Informal Physical Evaluation Board on 17 Feb 89, it was recommended that she be separated with 10% disability and severance pay to which she agreed and her separation followed. Because she had been medically separated, her reentry code was appropriately assigned as "2Q". She now desires to change this code so as to be able to return to military duty now that she has completed a bachelor's degree in business administration.

DISCUSSION: A thorough review of submitted records shows that the applicant has continued to have problems with her legs ever since her separation, and as recently as 3 Jun 98, she was seen for pain and swelling in the left knee at a VA facility. Other entries relate directly to visits for evaluation of her service-connected "shin splints" for which the VA has assigned a rating of 20% disability, and which was confirmed last in April 1995. In addition, the applicant has been treated in the early 1990s for bipolar mood disorder with lithium and more recently for her overweight condition, all conditions that would disqualify her for entry to the Air Force were she to have her request approved.

Contrary to what the applicant states in her request, the "2Q" code was not assigned simply to prevent her immediate reenlistment, but rather to reflect the fact that she was separated with an unfitting medical condition under provisions of AFR 35-4 and the disability evaluation system. No inequity or impropriety is found in the actions that resulted in her medical separation, and there is no reason to consider changing the appropriate reentry code assigned at the time of the separation. Her numerous medical problems found in the DVA record review would preclude entry to the military at this time, in any event.

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RECOMMENDATION: While commending the applicant on her desire to return to the military, the BCMR Medical Consultant is of the opinion that no change in the records is warranted and the application should be denied.



**FREDERICK W. HORNICK, Col., USAF, MC, FS
Chief Medical Consultant, AFBCMR
Medical Advisor SAF Personnel Council**

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