

JAN 21 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-01826 (Case 2)

COUNSEL: NONE

HEARING DESIRED: NO

Applicant requests that the narrative reason for separation be changed from marginal performer to convenience of the government; that his reenlistment eligibility (RE) code of 2P be change to a 1; and that his separation code of JEM be changed. Applicant's submission is at Exhibit A.

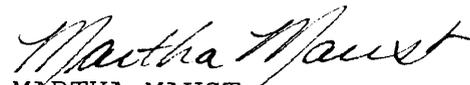
The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

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 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 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 Ms. Martha Maust, Mr. Joseph G. Diamond, and Mr. Frank J. Colson considered this application on 14 January 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


MARTHA MAUST
Panel Chairman

Exhibits:

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



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

U.S. AIR FORCE



MEMORANDUM FOR AFBCMR

21 JUL 1997

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

SUBJECT: Application for Correction of Record [REDACTED]

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

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

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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS



JUL 17 1997

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRP
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records [REDACTED]

The applicant, while serving in the grade of airman, was discharged from the Air Force 07 May 81 under the provisions of AFR 39-10 (Marginal Performer) with an honorable discharge. He served 01 year 03 months and 15 days total active service.

Requested Action. The applicant is requesting a change in **his** reason for discharge to "Convenience of the Government", and a reenlistment code **and separation** code change.

Basis for Request. Applicant claims that he has been **a** good citizen since **his** discharge. That he is beginning to get **his** life in order.

Facts. On 01 Apr 81, applicant **was** notified by **his** commander that involuntary discharge action be initiated against **him** for **his** failure to attain the **required job** skill proficiency to advance to the three skill level in two different career fields. The commander advised that he **had** been counseled, given instructions and briefed on numerous occasions the responsibilities inherent in **his** AFSC, all with little or **no** improvement on **his** part. The applicant **was** advised that if he desired to remain in the **Air** Force, he could submit statements in **his own** behalf and that military legal counsel would be made available to him. Applicant indicated that he did desire legal counsel but, did not desire to submit statements in **his own** behalf. On 4 May 81, the discharge authority approved the discharge **as** a marginal performer and directed that the applicant be issued an honorable discharge.

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Discussion. This case has been reviewed for separation processing and there are no errors or irregularities causing an injustice to the applicant. The discharge complies with directives in effect at the time of his discharge. The records indicate member's military service was reviewed and appropriate action was taken.

Recommendation. Applicant did not identify any specific errors in the discharge processing nor provide facts which warrant a change in his reason for separation, a change in his reenlistment code assigned, or change in his separation code. Accordingly, we recommend applicant's request be denied. He has not filed a timely request.



JOHN C. WOOTEN, GS-9

Military Personnel Mgmt Spec

Programs and Procedures Branch

Dir of Personnel Program Management

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