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**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-03078

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**COUNSEL:** NONE

**HEARING REQUESTED:** YES

**APPLICANT’S REQUEST**

His reenlistment eligibility (RE) code of “2Q” listed on his DD Form 214, *Certificate of Release or Discharge From Active Duty*, be corrected to reflect “4K,” enabling him to reenlist into the military.

**APPLICANT’S CONTENTIONS**

His Reenlistment Eligibility Data Display (REDD) Report reflects an RE code of “4K” which denotes “Pending Evaluation by Medical Evaluation Board (MEB)/Physical Evaluation Board (PEB)” and his RE code on his DD Form 214 should match.

The applicant’s complete submission is at Exhibit A.

**APPLICABLE AUTHORITY**

Per Air Force Instruction (AFI) 36-2606, *Reenlistment and Extension of Enlistment in the United States Air Force*, paragraph 5.12, RE codes determine whether or not Airmen may reenlist, or enlist in a military service at a later time. They are annotated on military discharge documents and document the Airman’s RE code at the time of discharge.

Per Department of the Air Force Manual (DAFMAN) 36-2032, *Military Recruiting and Accession*, paragraph 3.4.1, for enlistment waiver authority, the AETC/SG (or appropriate RegAF major command Surgeon General), ANG Command Surgeon (NGB/SG), or AFRC Command Surgeon (AFRC/SG), as appropriate, is the authority to waive physical standards for enlistment in accordance with AFI 48-123, *Medical Examinations and Standards*.

Additionally, per paragraph 3.7.1.1, the applicant’s ability to enlist is determined by reviewing prior service reenlistment eligibility code and other factors. Individual components will do a service eligibility determination to determine applicant’s eligibility.

Lastly, paragraph 3.7.2, states a waiver is a formal request to consider the suitability for service of an applicant who because of inappropriate conduct or morals violations, dependency status, current or past medical conditions may not be qualified to serve. Upon the completion of a thorough

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examination using a “whole person” review, the applicant may be granted a waiver if the applicant has displayed sufficient mitigating circumstances that clearly justify waiver consideration. For **medical conditions**, this may require a new physical examination with appropriate medical evaluation to determine medical qualification to enter the Air Force per Department of Defense Instruction (DoDI) 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, and AFI 48-123.

## **STATEMENT OF FACTS**

The applicant is a former airman who enlisted into the active duty on 23 Nov 10.

On 6 Jan 11, according to AF Form 356, *Findings and Recommended Disposition of USAF Physical Evaluation Board*, provided by the applicant, found the applicant’s condition existed prior to service (EPTS), and has not been permanently aggravated by service. Further the medical board found the applicant unfit for military service and recommended discharge under provisions other than Chapter 61, Title 10, U.S.C.

On 14 Jan 11, his DD Form 214 indicates the applicant was honorably discharged with a Narrative Reason of “Disability, Existed Prior to Service, PEB” and with a RE code of “2Q.”

For more information, see the excerpt of the applicant’s record at Exhibit B and the advisory at Exhibit C.

## **AIR FORCE EVALUATION**

AFPC/DPMSSM (Reenlistments) recommends denying the applicant’s request to change his RE code. On 10 Jan 11, officials within the Office of the Secretary of the Air Force (SecAF) determined the applicant was physically unfit for continued military service due to a physical disability which EPTS. It was further directed the applicant receive an honorable discharge without disability benefits. When the applicant was referred to the PEB his RE code was updated to “4K” per the pending PEB. Once SecAF directed the applicant’s discharge for being found physically unfit for continued military service due to a physical disability existing prior to entry, his RE code was changed to “2Q” denoting “Personnel medically retired or discharged.” The DD Form 214 is the official source document for a separated/discharged member’s RE code. The applicant’s DD Form 214 reflects the correct RE code of “2Q” per the discharge order. Additionally, the RE code “4K” does not apply to the applicant as his PEB was completed and there is no longer a pending medical board.

The complete advisory opinion is at Exhibit C.

## **APPLICANT’S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 15 Jul 23 for comment (Exhibit D), and the applicant replied on 11 Jul 23. In his response, the applicant provided a personal statement contending the medical condition was an acute event and not a chronic one. Further, he

suggests a “1A” which denotes “Ineligible to reenlist, but condition waived” or “3B” which denotes “1st or 2nd term or career airman ineligible to reenlist, ineligibility condition no longer exists” would both be more appropriate codes than “2Q” and they would allow him the opportunity to relist with a waiver from Military Entrance Processing Station (MEPS).

The applicant’s complete response is at Exhibit E.

## **FINDINGS AND CONCLUSION**

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSM and finds a preponderance of the evidence does not substantiate the applicant’s contentions. Specifically, the applicant has provided no evidence which would lead the Board to believe his RE code was contrary to the provisions of the governing regulation at the time of his separation. Per AFI 36-2606, the two codes suggested by the applicant “1A” or “3B” are not to be used when the action results in separation per Tables 5.1 and 5.3. The RE code of “4K” denotes pending a PEB decision. Once the SecAF directed the applicant’s discharge for being found physically unfit for continued military service due to a physical disability, his RE code was changed to reflect this. The Board understands the applicant’s desire to remove the RE code claiming his medical condition was an acute event and not a chronic one; however, the RE code annotated on his DD Form 214 represents the condition to which he was separated and is not subject to change unless an error was made in the original annotation. This decision does not preclude the applicant from pursuing a medical waiver through recruiting services for reentry into the military as outlined in DAFMAN 36-2032. Each component can waive the RE code and enlist an individual if they determine the needs of the component outweigh the reason for the RE code condition/risks; the AFBCMR is not the reenlistment waiver authority. Therefore, the Board recommends against correcting the applicant’s records. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board’s understanding of the issues involved.

## **RECOMMENDATION**

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

**CERTIFICATION**

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-03078 in Executive Session on 6 Mar 24:

- Attorney-Client* [Redacted] Panel Chair
- Attorney-Client* [Redacted] Panel Member
- Attorney-Client* [Redacted] Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 22 Nov 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSM, dated 12 Jun 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Jun 23.
- Exhibit E: Applicant’s Response, dated 15 Jun 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

10/2/2024

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*Attorney-Client* [Redacted]  
 Board Operations Manager, AFBCMR  
 Signed by: USAF