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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

ADDENDUM TO RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2013-04214-5

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be retired from active duty in the grade of major (O-4), effective 1 Nov 16.

RESUME OF THE CASE

The applicant is a former Air Force major and a retired Reserve lieutenant colonel (O-5).

The applicant was selected by a special board (SB) for the CY11A Major Selective Continuation Board. On 12 May 23, the applicant accepted continuation.

On 1 Aug 23, the applicant requested he be reinstated onto active duty per his selection and acceptance for continuation. However, he requested his retirement be in the grade of O-5, per his Reserve promotion.

On 14 Dec 23, the Board denied the applicant's request to warrant relief beyond reinstatement and continuation in the grade of O-4, with retirement effective 1 Nov 16 in the grade of O-4. On 31 Mar 24, SAF/MRB signed the instrument for case BC-2013-04214-4 stating the Board's recommendation for continuation at the grade of O-4 with a 20-year service retirement effective 1 Nov 16 would remain open for 180 days. The applicant was advised to notify the AFBCMR of his decision within the 180-day timeframe. The acceptance of the active-duty continuation with a 20-year service retirement would result in the cancellation of his approved Air Force Reserve retirement, effective 2 Oct 16.

On 2 Apr 24, the applicant accepted reinstatement and continuation on active duty in the grade of O-4, with an active duty retirement effective 1 Nov 16.

APPLICABLE AUTHORITY/GUIDANCE

Per 5 U.S.C. § 5533, Dual Pay from More than One Position, an individual is not entitled to receive basic pay from more than one federal position. Receipt of military retired pay is exempt.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.

AFBCMR Docket Number BC-2013-04214-5

Work-Product

Work-Product

3. As recommended by the Board on 14 Dec 23 and per the SAF/MRB instrument dated 31 Mar 24, the applicant was provided an opportunity to request cancellation of his approved Reserve retirement and accept reinstatement and continuation on active duty in the grade of O-4, with a 20-year active duty retirement in the grade of O-4. On 2 Apr 24, the applicant informed the AFBCMR he accepted reinstatement and continuation on active duty in the grade of O-4, with a 20 year active duty retirement in the grade of O-4. Accordingly, the Board recommends the applicant's records be corrected as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show:

- a. His Reserve retirement in the grade of O-5, effective 10 Oct 16, be canceled in the military personnel data system (MilPDS).
- b. He was not discharged from active duty on 30 Nov 11, but on that date he continued to serve on active duty until 31 Oct 16.
- c. He was retired from active duty in the grade of O-4, effective 1 Nov 16.

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-2013-04214-5 in Executive Session on 14 Dec 23:

Work-Product Panel Chair
Work-Product Panel Member
Work-Product Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit EE: Signed Addendum ROP/Instrument, w/Exhibits E thru DD, dated 21 May 24.
Exhibit FF: Email, Applicant, dated 2 Apr 24.
Exhibit GG: Documentary evidence, including relevant excerpts from official records.

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.

7/2/2024

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2013-04214-5

Work-Product