

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01817

XXXXXXXXXX

COUNSEL: XXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His reenlistment date be changed from 11 Apr 21 to 27 Apr 21 and his expiration-term of service (ETS) be changed to reflect 27 Apr 24.

APPLICANT'S CONTENTIONS

He was receiving a non-prior service bonus from his initial enlistment, and he unknowingly reenlisted 16 days prior to the Air Force Instruction (AFI) 36-2606, *Reenlistment and Extension of Reenlistment in the United States Air Force*, requirement. This requirement states that eligible members who are currently receiving an incentive must reenlist within 30 days of their current ETS. Due to this administrative oversight of 16 days, he lost the opportunity to receive a reenlistment career incentive bonus of \$7,500.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve technical sergeant (E-6).

On 27 May 15, according to DD Form 4, *Enlistment/Reenlistment Document, Armed Forces of the United States*, he enlisted in the Air Force Reserve for a period of six years establishing an ETS of 26 May 21.

On 11 Apr 21, according to DD Form 4, he reenlisted in the Air Force Reserve for a period of three years establishing an ETS of 10 Apr 24.

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

AIR FORCE EVALUATION

AFRC/A1KK, recommends granting the applicant's request to change his date of reenlistment. The applicant was receiving a Non-Prior Service Incentive from his 27 May 15 enlistment, which would have expired on his ETS, 27 May 21. According to AFI 36-2606, paragraph 8.1.5.2, incentive eligible members currently receiving an incentive must reenlist within 30 days of current ETS and that AFRC/A1KK may waive that requirement. However, the member must reenlist prior to their ETS for bonus consideration. AFI 36-3012, *Military Entitlements*, dated 23 Aug 19, paragraph 5.4.4. *Reenlistments*, further states an incentive granted to a member who voluntarily reenlists in the Air Force Reserve and meets the following criteria: reenlists within six months of current ETS when not currently receiving an incentive or reenlists within 30 days from current ETS when currently receiving an incentive; reenlists according to AFI 36-2606; and reenlists in a bonus Air Force Specialty Code in effect on the date of reenlistment.

The applicant's Wing Career Assistance Advisor, and Unit Career Assistance Advisor provided evidence of a lack of continuity that existed within the career assistance advisor team at the time due to position transitions, which may have contributed to this oversight at the unit level. In accordance with AFI 36-3012, paragraph 2.5.6.1, the Wing Career Assistance Advisor "notifies members if they are within the six month window of their ETS and otherwise eligible to receive an incentive." Wing and unit career assistance advisors are critical parts of the enlistment and incentive process. The applicant likely would not have known that a waiver package was required to reenlist early and given the short period of time (16 days) outside the 30-day reenlistment window, it is evident that he did not intentionally reenlist early but simply intended to continue serving and provided a date within a timeframe that was requested in error. Given that incentive lists change annually, career assistance advisor teams are responsible for ensuring that members enlist in accordance with existing policy which authorized bonuses for eligible members serving in critical AFSCs to support long career retention.

Therefore, based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice regarding the applicant's reenlistment date.

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 24 Oct 22 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFRC/A1KK and finds a preponderance of the evidence substantiates the applicant's contentions. The Board determines that the applicant did not intentionally reenlist early but based upon the lack of continuity that existed with the wing's career assistance advisor team, provided a date outside the 30 day window that was requested in error. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

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

- a. His reenlistment, effective 11 April 2021, be void and removed from his records.
- b. He reenlisted effective 27 April 2021 in the Air Force Reserve for a period of three (3) years with a new expiration of service date of 27 Apr 24.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-01817 in Executive Session on 6 Dec 22:

- , Panel Chair
- , Panel Member
- , Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 7 Jul 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFRC/A1KK, w/atchs, dated 14 Oct 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 24 Oct 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

X

Board Operations Manager, AFBCMR