

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

Work-Product

RECORD OF PROCEEDINGS**IN THE MATTER OF:****DOCKET NUMBER:** BC-2022-02400

Work-Product

COUNSEL: Work-Product**HEARING REQUESTED:** NO

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APPLICANT'S REQUEST

Her break in service following her separation from active duty and appointment into the Air Force Reserve be eliminated.

APPLICANT'S CONTENTIONS

Through no fault of her own, she was scrolled after her date of separation (DOS), which resulted in a break in service.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard captain (O-3).

On 4 Mar 14, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered the Regular Air Force and was separated on 22 Apr 20 in the grade of captain (O-3).

On 11 May 20, according to Reserve Order Work-Product dated 8 Oct 20, the applicant's appointment to the Air Force Reserve (AFR) (Scroll 1960) was approved by the Secretary of Defense (SECDEF).

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

AIR FORCE EVALUATION

ARPC/DPAR recommends approval. The applicant was separated from the Regular Air Force on 22 Apr 20. Her appointment to the AFR (Scroll 1960) was approved by the SECDEF on 11 May 20. The break-in-service between her separation from active duty and appointment into the AFR was due to no fault of the applicant. Additionally, according to her DD Form 214, she had a Reserve Obligation until 15 Dec 21 and due to this obligation, she should have been immediately appointed into the Reserve following her separation from Active Duty. Therefore, the break in service should be eliminated in accordance with the SAF/GCM policy granting the Board the authority to adjust the applicant's date of separation.

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 1 May 23 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 ARPC/DPAR and finds a preponderance of the evidence substantiates the applicant’s contentions. 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 she was not released from active duty effective 22 Apr 20 but on that date, she was continued on active duty until 10 May 20 on which date she tendered her resignation, was discharged from all Regular Air Force appointments, and was released from active duty.

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-2022-02400 in Executive Session on 24 May 23 and 31 May 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 A: Application, DD Form 149, w/atchs, dated 9 Sep 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPAR, w/atchs, dated 14 Apr 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 1 May 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.

7/19/2023

X **Work-Product**

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Board Operations Manager, AFBCMR
Signed by: USAF