

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2022-02640

COUNSEL: NAME

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected as follows:

a. Block 13, *Decorations, Medals, Badges Citations and Campaign Ribbons Awarded or Authorized*, add the Global War on Terrorism Expeditionary Medal and/or the Global War on Terrorism Service Medal (**Administratively corrected**).

b. Block 18, *Remarks*, amend "Member has completed first full term of service," to reflect he was separated under the Force Shaping program.

c. Block 26, *Separation Code*, amend KND, *Miscellaneous/General Reasons*, to reflect he was separated under the Force Shaping program.

d. Block 27, *Reentry Code*, change from 2I¹ to a reentry code to reflect his current citizenship.

e. Block 28, *Narrative Reason for Separation*, amend from "Completion of Required Active Service" to reflect he was separated under the Force Shaping program.

APPLICANT'S CONTENTIONS

He believes he left the Air Force under the Force Shaping program. While he initially enlisted for four years, his DD Form 214 reflects, "Member has completed first full term of service," and "Completion of Required Active Service." Additionally, his reentry code should reflect his current citizenship. He is now a U.S. citizen and was naturalized on 24 Jun 09. Furthermore, he believes he qualifies for the Global War on Terrorism Expeditionary Medal and/or the Global War on Terrorism Service Medal based on his deployment consisting of 3 months and 6 days.

He discovered the errors when he was young and did not require benefits. He felt he was ineligible for benefits at the time so he thought nothing of the errors. The benefit laws have changed since 2005 and he believes he is eligible today.

The applicant's complete submission is at Exhibit A.

¹ Non-U.S. Citizen serving on initial enlistment.

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STATEMENT OF FACTS

The applicant is a former Air Force airman (E-2).

On 1 Apr 03, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant entered the Regular Air Force for a period of four years.

On 29 Oct 04, according to AF Form 31, *Airman's Request for Early Separation/Separation Based on Change in Service Obligation*, the applicant requested to be separated from active duty effective 15 Jan 05, in accordance with AFI 36-3208, *Administrative Separation of Airmen*, paragraph 3.15., *Miscellaneous Reasons*. On 1 Nov 04, the applicant's request was approved.

On 15 Jan 05, according to DD Form 214, the applicant received an honorable discharge. His separation code and corresponding narrative reason for separation is KND, *Completion of Required Active Service*, and his reentry code is 2I. Item 18 reflects, "Member has completed first full term of service." The applicant was credited with 1 year, 9 months, and 15 days of active service, including 3 months and 6 days of Foreign Service.

On 24 Jun 09, according to documentation provided by the applicant, the Director U.S. Citizenship and Immigration Services issued the applicant a Certificate of Naturalization.

On 14 Jul 23, according to DD Form 215, *Correction to DD Form 215, Certificate of Release or Discharge from Active Duty*, Block 13 of the applicant's DD Form 214 was corrected to add the Global War on Terrorism Expeditionary Medal and the Global War on Terrorism Service Medal.

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

APPLICABLE AUTHORITY/GUIDANCE

AFI 36-2606, *Reenlistment and Extension of Enlistment in the United States Air Force*. An applicant is eligible for immediate reenlistment (within 24 hours after separation) and eligible for prior service enlistment when they are issued an RE-1 series code, provided the Airman is otherwise eligible. An applicant who is issued an RE-2 series code is ineligible to reenlist in the Regular Air Force and unless specifically authorized, not authorized to extend enlistment. An applicant who is issued an RE-3 series code is ineligible for immediate reenlistment (within 24 hours after separation), but eligible for prior service enlistment with an approved waiver (provided the Airman is otherwise qualified). An applicant who is issued an RE-4 series code is ineligible to reenlist in the Air Force and, unless specifically authorized by paragraph 6.5, *Extension Cancellation* or Table 6.2, *Reasons for Extensions of Enlistment*, is not authorized to reenlist.

Paragraph 5.11.13. *Reenlistment of Non-U.S. Citizens*. Non-U.S. citizens who obtain U.S. citizenship will be assigned a reentry code and must have Selective Reenlistment Program consideration completed to remove the reentry code and reenlist. Non-U.S. citizens who fail to obtain U.S. citizenship during their initial enlistment will separate with the applicable reentry code.

AIR FORCE EVALUATION

AFPC/DP2SSR (Military Retirements and Separations) recommends denying the applicant's request to correct his DD Form 214 to reflect he was separated under the Force Shaping program. The Air Force introduced several programs in order to meet established DoD guidelines to reduce the number of personnel in order to meet end strength quotas. The Limited Active Duty Service

Commitment Waiver Program allowed service members to request to voluntarily separate early prior to completing their required active duty service commitment. Service members who submitted voluntary separation applications were instructed to submit their application using the “miscellaneous/general” provision of AFI 36-3208, paragraph 3.15. The applicant requested to separate early as indicated on his separation application [AF Form 31].

Service members who chose not to voluntarily request separation and were subsequently selected for involuntary separation by the Force Shaping Board were the only personnel given the separation code and narrative reason for separation as “Reduction in Force.” There is no evidence in the applicant’s record he was selected by the Force Shaping Board for involuntary discharge.

They noticed an error that will have minimal effect on the applicant’s case, but it must be noted. Although the separation code, KND is correct on the DD Form 214, the applicant’s narrative reason for separation should match the separation code reflecting “miscellaneous/general reasons” rather than “Completion of Required Active Service.” Furthermore, the remarks should state “Member has not completed first full term of service” since he was allowed to separate early prior to completing all of his required active service on his enlistment contract.

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

ADDITIONAL AIR FORCE EVALUATION

AFPC/DP2WR (Readiness) recommends granting the applicant’s request for award of the Global War on Terrorism Expeditionary Medal. Verification from the Military Personnel Data System and Deliberate and Crisis Action Planning and Execution Segments reflect the applicant was deployed to Qatar in 2004 for 3 months and 6 days. While the applicant did not provide Contingency, Exercise, and Deployment orders and evidence to support travel dates and specific Foreign Service time, based on the documentation provided by the applicant and analysis of the facts, there is sufficient evidence to determine the Foreign Service time reflected on his DD Form 214 is correct.

The complete advisory opinion is at Exhibit E.

APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 22 Jun 23, for comment (Exhibit F), but has received no response.

ADDITIONAL AIR FORCE EVALUATION

AFPC/DPMSSM (Reenlistments) recommends denying the applicant’s request to correct his reentry code. The applicant enlisted in the Air Force on 1 Apr 03 for 4 years. Per AF Form 31 in the applicant’s record, he applied for early separation and was approved to separate on 15 Jan 05. Because he did not apply for, or obtain his citizenship by the time he separated on 15 Jan 05, his correct reentry code was and remains 2I. The applicant obtained his citizenship on 24 Jun 09, which was 4 and 1/2 years after he separated. The DD Form 214 is a snapshot of a member’s career while on active duty and reflects data at the time of separation. The applicant did not have

his citizenship at the time of separation, and it would not be in the best interest of the Air Force to change his record to reflect he did.

The complete advisory opinion is at Exhibit.

APPLICANT'S REVIEW OF ADDITIONAL AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 29 Jun 23, for comment (Exhibit H), 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 not the victim of an error or injustice. The applicant believes he left the Air Force under the Force Shaping program; however, this program was intended for service members who were involuntarily separated from the Air Force. On 29 Jan 04, the applicant voluntarily requested to be separated, which was approved on 1 Nov 04, and he was subsequently separated on 15 Jan 05. Therefore, he did not qualify for separation under the Force Shaping program. Instead he was separated under the Limited Active Duty Service Commitment Waiver program. The Board also notes AFPC/DP2SSR concedes the applicant's DD Form 214 contains minor errors; however, after reviewing the evidence of record, the Board is in complete agreement with the comments of AFPC/DP2SSR and concludes the narrative reason for separation and remarks in the DD Form 214 are harmless errors. The Board also determined although the applicant gained his citizenship following his separation, he did not obtain his citizenship during military service. Therefore, the reentry code on his DD Form 214 is correct. In view of the forgoing, the Board concurs with the rationale and recommendation of AFPC/DP2SSR and AFPC/DPMSSM and finds a preponderance of the evidence does not substantiate the applicant's contentions. Therefore, beyond the administrative correction that has been executed, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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-2022-02640 in Executive Session on 20 Jul 23 and 29 Jul 23:

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Panel Chair
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nel Member

AFBCMR Docket Number BC-2022-02640

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 24 Sep 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 14 Oct 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 14 Oct 22.
- Exhibit E: Advisory Opinion, AFPC/DP2WR, dated 21 Oct 22.
- Exhibit F: Notification of Advisory, SAF/MRBC to Applicant, dated 22 Jun 23.
- Exhibit G: Advisory Opinion, AFPC/DPMSSM, dated 29 Jun 23.
- Exhibit H: Notification of Advisory, SAF/MRBC to Applicant, dated 29 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.

8/10/2023



Board Operations Manager, AFBCMR

Signed by: Work-Product