



CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02880

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His separation code be change from MND, *Miscellaneous/General Reasons* to RCC, *Reduction in Force*.

APPLICANT'S CONTENTIONS

He was separated due to the Force Shaping Reduction in Force, otherwise he would still be serving.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force second lieutenant (O-1).

On 13 Sep 02, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant entered the Air Force Reserve.

On 9 Sep 05, according to Special Order *Work-Product* dated 1 Aug 05, the applicant was ordered to Extended Active Duty in the rank of second lieutenant.

On 5 Apr 07, DD Form 2648, *Preseparation Counseling Checklist for Active Component Service Members*, indicates the applicant applied for an earlier date of separation to start a new job.

On 1 May 07, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was released from active duty under the provisions of AFI 36-3207, *Separating Commissioned Officers*, and transferred to the Air Force Reserve. His separation code and corresponding narrative reason for separation is MND, *Miscellaneous/General Reasons*. He was credited with 1 year, 7 months, and 23 days of active service.

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

AIR FORCE EVALUATION

AFPC/DPMSSR (Military Retirements and Separations) recommends denying the applicant's request. The Air Force introduced several programs to meet established Department of Defense guidelines in order to meet end strength quotas. The Limited Active Duty Service Commitment Waiver Program (LADSC) allowed service members to request to voluntarily separate early prior to

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completing their required ADSC. Service members who submitted voluntary separation applications were instructed to submit their application using the “miscellaneous/general” provision of AFI 36-3207, paragraph 2.4.17. The applicant requested to separate early as he indicated on documentation located in his personnel record.

Certain service members who did not voluntarily separate subsequently met the Force Shaping Board and were involuntarily separated, thus, 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 that he was selected by the Force Shaping Board for involuntary discharge nor did the applicant provide any such documentation that he would have been provided had he been selected. Therefore, there is no error within the discharge processing.

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

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 finds no evidence in the applicant’s record that he was selected by the Force Shaping Board for involuntary discharge nor did the applicant provide any such documentation that he would have been provided had he been selected. Therefore, the Board concurs with the rationale and recommendation of AFPC/DPMSSR and finds a preponderance of the evidence does not substantiate the applicant’s contentions. 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 (DAFI) 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. Therefore, the Board finds the application untimely and recommends against correcting the applicant’s records.

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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2022-02880 in Executive Session on 20 Jul 23:

<i>Work-Product</i>	Panel Chair
	Panel Member
<i>Work-Product</i>	Panel Member

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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 19 Aug 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSSR, dated 8 Nov 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Nov 22.

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.

9/12/2023

Work-Product

Board Operations Manager, AFBCMR

Signed by: *Work-Product*