



**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-2023-01291

*Work-Product*

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

---

---

**APPLICANT'S REQUEST**

He be reinstated into his Individual Mobilization Augmentee (IMA) position within the Readiness Integration Organization (RIO) Detachment 3.

**APPLICANT'S CONTENTIONS**

He was not allowed to reenlist because he was not in compliance with the COVID-19 vaccine mandate. He submitted a religious accommodations request for the COVID-19 vaccination which was pending a decision. He was not allowed to drill since 2021 because he was not in compliance with the vaccine mandate and applied for an exemption within three days of notification. By Jul 22, he was not allowed to reenlist for being non-compliant and was forced to separate right before the Air Force removed the requirement.

To support his request, the applicant submitted copies of his letter requesting immunization exemption due to religious accommodation, dated 20 Sep 21 asking to be exempt from the COVID-19 vaccine mandate and the response from his medical unit, dated 21 Sep 21 advising his unit a medical professional's counseling is required stating the applicant was counseled on the risks and benefits of receiving the COVID-19 vaccine.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force Reserve (AFR) technical sergeant (E-6).

On 13 Sep 22, the non-commissioned officer in charge, Resource Management Office, recommended the applicant be separated under the provisions of AFI 36-3209, *Separation Procedures for Air National Guard and Air Force Reserve Members*, paragraph 3.12.1 for expiration of enlistment.

Dated 23 Sep 22, Reserve Order *Work-Product*, indicates the applicant was honorably discharged from the AFR, effective 15 Jul 22.

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

**AFBCMR Docket Number BC-2023-01291**  
**CUI//SP-MIL/SP-PRVCY**

Controlled by: SAF/MRB CUI Categories: SP-MIL/SP-PRVCY Limited Dissemination Control: N/A POC: <a href="mailto:SAF.MRBC.Workflow@us.af.mil">SAF.MRBC.Workflow@us.af.mil</a>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## **AIR FORCE EVALUATION**

HQ RIO/IRO recommends denying the applicant's request to be reinstated into his AFR position finding no error or injustice occurred with the discharge process. He did not provide documentation to show he enlisted or extended his current enlistment contract. He was discharged upon the completion of service, 15 July 22, not due to non-compliance of immunization as the applicant claims. According to the Selective Retention Process Memorandum, dated 6 May 21, the applicant was recommended by unit leadership to re-enlist. He signed the memorandum, 1 Sep 21 stating his intent to re-enlist; however, no paperwork was received from the member or his unit to RIO Detachment 3 to process his re-enlistment or extension of his current enlistment. Therefore, the applicant was discharged upon his expiration term of service, 15 Jul 22 as documented on his Reserve Retirement Single Unit Retrieval Format (SURF).

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 Nov 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of HQ RIO/IRO and finds a preponderance of the evidence does not substantiate the applicant's contentions. Specifically, the Board finds the applicant did not provide evidence showing he attempted to enlist or extend his contract. He was discharged upon completion of service, not due to non-compliance of immunization requirements. There is nothing in the applicant's military records that would preclude him from enlisting back into the service. Therefore, 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-2023-01291 in Executive Session on 18 Jan 24:

**CUI//SP-MIL/SP-PRVCY**

*Work-Product* [Redacted] Panel Chair  
*Work-Product* [Redacted] Panel Member  
*Work-Product* [Redacted] Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 17 Apr 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, HQ RIO/IRO, w/atchs, dated 19 Oct 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 1 Nov 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.

2/9/2024

*Work-Product* [Redacted]

Board Operations Manager, AFBCMR  
Signed by: USAF