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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03693

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COUNSEL: Work-Prod...

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

His Separation Program Designator (SPD) code be changed from RBD, Sufficient Service for Retirement; to GCN, Force Shaping (Board Selected) so he can transfer his Post-9/11 Transfer of Education Benefits (TEB) to his dependents.

### APPLICANT'S CONTENTIONS

His records fail to show he was non-retained. His retention manager told him not to worry about it. While he was given the non-retention memorandum which states the correct non-retention SPD is GCN, he was not informed to attach this memorandum as part of his package. Now that his children are ready to continue with their education, he would like to get his record corrected so he can transfer his education benefits to them.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an Air National Guard chief master sergeant (E-9) awaiting retired pay at age 60.

National Guard Bureau, Chief, Force Management Programs (NGB/A1P) memorandum, *Air National Guard (ANG) Selective Retention Review Boards (SRRB) and Separation Program Designator (SPD) codes*, signed 6 Mar 18, states "ANG members being separated/discharged for non-retention IAW ANGI 36-2651, *Air National Guard Selective Retention Review Boards*, will now receive a SPD Code of: GCN "Force Shaping (Board Selected) Selective Non-Retention.: SPD Code: GCN will be utilized for Selective Retention/Force Shaping Purposes."

On 26 Jul 21, according to a *CY21 COANG Selective Retention Board Results*, memorandum provided by applicant, he was notified he was selected to be non-retained.

On 29 Sep 21, the applicant's NGB Form 22, *National Guard Report of Separation and Record of Service*, reflects the following: Item 10, *Record of Service*, 27 years, 5 months, and 29 days total service for retired pay; Item 23, *Authority and Reason*, AFI 36-3209<sup>1</sup>, paragraph 3.12.6, Transfer to the USAF Reserve Retired List – Retirement Voluntary/Under age 60. SPD: RBD.

On 30 Sep 21, the applicant's DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the following: Item 23, *Type of Separation*, Retirement; Item 26, *Separation Code*, RBD; Item 28, *Narrative Reason for Separation*, Sufficient Service for Retirement.

<sup>1</sup> AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*.

**AFBCMR Docket Number BC-2023-03693**

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Controlled by: SAF/MRB

CUI Categories: Work-Product

Limited Dissemination Control: N/A

POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

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

## **APPLICABLE AUTHORITY/GUIDANCE**

Department of the Air Force (DAFI) 36-2670, *Total Force Development*, 25 Jun 20:

6.11.15.5.1. Failure to Complete Service Agreement. Except as provided below, if a member approved to transfer entitlement under this section fails to complete the service agreed to by the member under paragraph 6.11.15 in accordance with the terms of the agreement of the member under that paragraph, the amount of any transferred entitlement that is used by a dependent of the member as of the date of such failure shall be treated as an overpayment of educational assistance and will be subject to collection by the Department of Veterans Affairs. Exceptions:

6.11.15.8. Transfer of Benefits Procedures. Enrollment in Transfer of Education Benefits incentive requires the Service member to transfer via the Department of Defense Transfer of Education Benefits website at <https://www.dmdc.osd.mil/milconnect>. Airmen are responsible for correcting inaccurate information. Airmen may request certification of Post-9/11 GI Bill eligibility from the Department of Veterans Affairs website prior to requesting a transfer of education benefits.

6.11.15.7. Members who separate, retire or are released from the Armed Forces prior to completion of the agreed upon additional service commitment, who do not fit exceptions outline in paragraphs 6.11.15.5.1 and 6.11.15.6 of this instruction, will have their transfer of education benefits application rejected in the Defense Manpower Data Center Transfer of Education Benefits web application.

6.11.15.5.1.6. Discharge from RegAF or Selected Reserve, with an honorable discharge, from a reduction in Force.

SPD Matrix, effective 1 Jan 22:

GCN, Force Shaping (Board Selected);

RBD, Sufficient Service for Retirement;

FCC, Reduction In Force;

## **AIR FORCE EVALUATION**

NGB/A1PP, recommends granting the request. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. The applicant was selected to be non-retained by the CY 21 COANG Selective Retention Board. In accordance, with NGB/A1P memorandum, *Air National Guard (ANG) Selective Retention Review Boards (SRRB) and Separation Program Designator (SPD) codes*, states "ANG members being separated/discharged for retention IAW ANGI 36-2651 will receive SPD code GCN."

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 11 Mar 24 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 NGB/A1PP 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 his NGB Form 22, *National Guard Report of Separation and Record of Service*, reflects the following: Item 10, *Record of Service*, Item 23, *Authority and Reason*, AFI 36-3209, PARAGRAPH 3.12.6.: TRANSFER TO THE USAF RESERVE RETIRED LIST - RETIREMENT VOLUNTARY//UNDER AGE 60//Non-Retained, SPD: GCN

## 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-2023-03693 in Executive Session on 9 Jul 24:

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 10 Nov 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1PP, w/atchs, dated 5 Mar 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 11 Mar 24.

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.

2/10/2025

X

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Board Operations Manager, AFBCMR

Signed by: Work-Product

**AFBCMR Docket Number BC-2023-03693**

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