

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02734

XXXXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 28, *Narrative Reason for Separation*, be amended from "Voluntary – Miscellaneous Reasons" to "Reduction in Force (RIF)."

APPLICANT'S CONTENTIONS

He applied for a Veterans Administration (VA) home loan and was unable to obtain his Certificate of Eligibility (COE). He was advised from the VA his reason for decline was due to how Air Force Regulation (AFR) 39-10, *Enlisted Separation of Airmen*, (Miscellaneous/General Reasons) appeared on his DD Form 214. He was stationed at Loring Air Force Base (AFB), Maine during 1991-1992. Loring AFB was on the 1991 Base Realignment and Closure (BRAC) list. He is requesting this change so he can be able to meet the minimum requirements to obtain his COE for a VA home loan.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged airman (E-2).

On 12 Feb 92, according to AF Form 31, *Airman's Request for Early Separation/Separation Based on Change in Service Obligation*, the applicant requested separation, effective 18 Jun 92. The reason for the applicant's request was so he could attend a technical training school on a full-time basis for diesel mechanics. His request was approved on 24 Feb 92.

On 18 Jun 92, the applicant was furnished an honorable discharge, with a Narrative Reason for Separation of "Voluntary – Miscellaneous Reasons," was transferred to the Air Force Reserve with a Reserve Obligation Termination Date of 31 Jul 98, and was credited with 11 months and 1 day 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 recommends denying the application. Based on the applicant's request and the Master Personnel Record, there is no error or injustice with the discharge processing.

The applicant was discharged from the Air Force on 18 Jun 92 under the provision of AFR 39-10, with an honorable service characterization.

Review of the applicant's Master Personnel Record revealed he submitted a voluntary separation application on 12 Feb 92 where he requested a date of separation of 18 Jun 92. On his application, he stated his reason was to "attend a technical training school on a full-time basis for diesel mechanics." The applicant's commander and Base Discharge Authority approved the applicant's request, and he was separated on 18 Jun 92.

We show no record of the Air Force conducting a RIF Board during the applicant's service time. Service members subjected to possible RIF meet a board and are involuntarily separated if not selected for retention. Those personnel receive a Separation Program Designator (SPD) code associated with being selected for RIF. Furthermore, there is no SPD code or narrative reason for separation for service members who become part of a BRAC. Personnel assigned to locations undergoing BRAC are usually reassigned to another location as a result of BRAC; however, the applicant chose to request early separation instead and his request was approved.

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 5 Jun 24 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 concurs with the rationale and recommendation of AFPC/DPMSSR and finds a preponderance of the evidence does not substantiate the applicant's contentions. There was no RIF Board conducted during the applicant's period of service and there is no evidence BRAC played a role in his separation. The applicant requested voluntary early separation to attend a technical training course on a full-time basis for diesel mechanics. Therefore, the Board recommends against correcting the applicant's records. 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)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.

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 Department of the Air Force Instruction (DAFI) 36-2603, paragraph 2.1, considered Docket Number BC-2023-02734 in Executive Session on 10 Sep 24:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 22 Aug 23.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DPMSSR, dated 10 May 24.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 5 Jun 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.

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Board Operations Manager, AFBCMR