



Attorney-Client

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2025-00353

Attorney-Client

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. His record be corrected to reflect he continued to serve in the Individual Ready Reserve (IRR) for two additional years past his military service obligation (MSO).
2. He be accessed into the Air Force Reserve (AFR) as a major.

APPLICANT'S CONTENTIONS

After an investigation, ARPC concluded an administrative oversight resulted in an error in his record which prevented ARPC from accessing him into the AFR. He was not discharged from the IRR and was sent to a promotion board and promoted. Because of this ARPC is now unable to access him into the AFR after a break in service. He was overseas at the time the IRR discharge notification was sent to him, and he did not receive the letter. Additionally, his file was sent to the promotion board without his knowledge. He is seeking to serve in the AFR in a critically manned career field after a break in service.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former AFR captain (O-3).

On 1 Jun 16, DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the applicant was honorably discharged in the grade of captain (O-3) after serving five years and seven days of active duty. He was discharged, with a narrative reason for separation of "Completion of Required Active Service."

Dated 15 Aug 16, Reserve Order **Attorney-Client** indicates the applicant was appointed to the AFR on 2 Jun 16.

Dated 22 Dec 17, Reserve Order **Attorney-Client** indicates the applicant was assigned to the IRR, effective 1 Jan 18.

On 23 Nov 20, a discharge notification letter was sent to the applicant informing him he had been assigned to the IRR in a non-obligated, non-participating Ready Personnel Section (NNRPS) for one and a half years and in approximately six months he would be administratively discharged.

Dated 19 Apr 22, RO [Attorney-Client] indicates the applicant was promoted to the grade of major (O-4), effective 25 May 22.

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

AIR FORCE EVALUATION

ARPC/DPAM recommends denying the application. There is evidence of an error but not an injustice. Per DoDI 1235.13, *Administration and Management of the Individual Ready Reserve (IRR) and the Inactive National Guard (ING)*, paragraph f, officers who have fulfilled their military service obligation (MSO) and have not taken action to elect to remain in the IRR must be advised of the requirement to remove them from the military. The Military Departments must remove those officers from the military within two years after fulfillment of the officer's MSO unless they positively elect to remain in the IRR past their MSO as allowed by the military departments. The Air Force makes no allowance for extension in the IRR beyond the two-year mark (three years for separation pay recipients). Per DAFI 36-2110, *Total Force Assignments*, paragraph 12.3.3.3, officers are discharged from the Non-Obligated Non-Participating Ready Personnel Section if they do not get a participating assignment after two years. The discharge should remain as 25 May 21 and the promotion order ([Attorney-Client]) should be revoked and the promotion action in the military personnel data system (MilPDS) should be cancelled.

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 7 Apr 25 for comment (Exhibit D), and the applicant replied on this same date. In his response, the applicant states his goal is to serve again in the AFR and either proposed remedy gives ARPC the necessary directive to correct his records to which he concurs. Either deny his request and revoke the promotion order to major or correct his record to show he continued to serve in the IRR.

The applicant's complete response is at Exhibit E.

ADDITIONAL AIR FORCE EVALUATION

ARPC/DPTT recommends granting the applicant's request to remain in the IRR in order to be accessed as a major in the AFR finding evidence of an error or injustice. Based on the

acknowledged mismanagement of the program used to discharge the applicant from the IRR and through no fault of the applicant, he was allowed to remain in the IRR, promote, and then was subsequently discharged when the error was discovered.

The complete advisory opinion is at Exhibit F.

APPLICANT'S REVIEW OF ADDITIONAL AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 28 May 25 for comment (Exhibit G) and on this same day, the applicant responded and concurred with the advisory recommendation (Exhibit H).

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 ARPC/DPTT and finds an error was made when the applicant was not separated when he should have been due to an error within the program used to manage discharges from the IRR and was subsequently promoted. Since the Board does not have the authority to remove a promotion to major per Title 10 U.S.C. Section 12203, as that authority is held by the President or at the direction of the President, by the Secretary of Defense, 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 the APPLICANT be corrected to show on 24 May 21, the applicant was not discharged from the IRR but continued to serve in the IRR, in the grade of major (O-4).

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-2025-00353 in Executive Session on 13 May 25 and 7 Aug 25:

Attorney-Client

Panel Chair
Panel Member

Attorney-Client

Panel Member

AFBCMR Docket Number BC-2025-00353

Attorney-Client

Controlled by: SAF/MRB
CUI Categories: Attorney-Client
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

Attorney-Client

Attorney-Client Panel Chair
Attorney-Client Panel Member
Attorney-Client Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 28 Jan 25.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPAM, w/atchs, dated 3 Apr 25.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 7 Apr 25.
- Exhibit E: Applicant's Response, dated 7 Apr 25.
- Exhibit F: Advisory Opinion, ARPC/DPTT, dated 16 May 25.
- Exhibit G: Notification of Advisory, SAF/MRBC to Applicant, dated 28 May 25.
- Exhibit H: Applicant's Response, dated 28 May 25.

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.

9/1/2025

Attorney-Client

Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2025-00353
Attorney-Client

Controlled by: SAE/MRB
CUI Categories: <i>Attorney-Client</i>
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil