

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00401
COUNSEL: NONE
HEARING DESIRED: NOT INDICATED

APPLICANT REQUESTS THAT:

His reenlistment eligibility status of "Ineligible" be changed to allow him to enlist in the Air National Guard (ANG).

APPLICANT CONTENDS THAT:

He was honorably discharged from the Air Force Reserves on 26 Sep 2005, but his reenlistment status reflects "Ineligible."

When attempting to join the ANG, a recruiter made him aware that he was ineligible to enlist. He would like to continue to serve.

The applicant provides no documentation in support of his request. His complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant served in the Regular Air Force from 1 Dec 1991 through 10 Dec 1995.

In accordance with DD Form 4/1, *Enlistment/Reenlistment Document - Armed Forces of The United States*, on 26 Mar 2003, the applicant enlisted in the Air Force Reserves for a period of six years.

In accordance with Reserve Order A-452, dated 12 Sep 2005, under the authority of AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, the applicant was discharged from the United States Air Force Reserves effective 26 Sep 2005 for "Unsatisfactory Participation." His service was characterized as "General" and his reenlistment eligibility status was "Ineligible."

AIR FORCE EVALUATION:

HQ AFRC/AIK recommends denial. AIK states the reenlistment eligibility status of "Ineligible" as reflected on Reserve Order A-452 is correct based on his separation for unsatisfactory participation, with a general (under honorable conditions) characterization of service. Given such, and since he did not provide any documentation to substantiate an error was made, there is no basis for correction.

The complete AIK evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 10 Apr 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
 2. The application was not timely filed; however it is in the interest of justice to excuse the failure to timely file.
 3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.
-

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application in Executive Session on 23 Aug 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered in AFBCMR BC-2012-00401:

- Exhibit A. DD Form 149, dated 3 Feb 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFRC/A1K, dated 4 Apr 2012.
- Exhibit D. Letter, SAF/MRBC, dated 10 Apr 2012.

Panel Chair