

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00658

COUNSEL: NONE

HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

1. His reenlistment date reflect his original date of reenlistment of 31 Oct 11.
2. He receive a Selective Reenlistment Bonus (SRB) for Zone B, Multiple 4.0 for his reenlistment.

APPLICANT CONTENDS THAT:

He reenlisted on 31 Oct 11. The Reenlistment Office erred during his reenlistment, unjustly preventing him from receiving his SRB. His AF Form 901, *Reenlistment Eligibility Annex to DD Form 4*, states he reenlisted for 5 years with an SRB Multiple of 4.0.

In support of his request, the applicant provides an expanded statement and copies of his AF Form 901, an AF Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, and a memo from his commander.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant initially enlisted in the Regular Air Force on 28 Jun 05.

On 31 Oct 11, the applicant completed an AF Form 901 which states "I understand I will be paid a Zone B, Multiple 4.0 bonus based on 5 years of continued service in the 1N4X1 AFSC," and the applicant will be "discharged from the United States Air Force effective 8 Nov 11 for the sole purpose of immediate reenlistment on 9 Nov 11."

On 9 Nov 11, the applicant signed the AF Form 4 reenlisting on that date.

The remaining relevant facts pertaining to this application are described in the letter prepared by the Air Force office of responsibility which is included at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DPSOA recommends denial indicating there is no evidence of an injustice. Department of Defense (DoD) *Financial Management Regulation (FMR)*, Volume 7A, Chapter 9, states that in order for a member to qualify for Zone B Reenlistment Eligibility, "The enlisted member must have completed a total period of obligated active duty of a least 10 years, because of the reenlistment or extension, when coupled with existing active service." While the applicant executed what appeared to be a qualifying reenlistment contract for five years and one month, he should not have been authorized to do so as his high year of tenure (HYT) date precluded his retention beyond 27 Jun 15. As such, the applicant was only eligible to reenlist for three years plus his remaining obligated service time of one month, which would have resulted in a total of nine years and six months of total active service. Based on the requirement for the reenlistment or extension to take him to at least 10 years, the applicant was not eligible for a Zone B SRB at any point during his reenlistment processing. This is what he should have been briefed when he requested to reenlist on 31 Oct 11. There are many of his peers in the same situation that cannot reach at least 10 years and will not get an SRB. It would not be fair and equitable for the applicant to receive SRB payments when his peers in the same situation will not be paid the SRB. As for his request to change his reenlistment date to 31 Oct 11 instead of 9 Nov 11, the applicant has provided no evidence to indicate that he actually reenlisted on 31 Oct 11 as he contends.

The complete AFPC/DPSOA evaluation, with attachment, is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 6 Aug 12 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 timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of an 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 (OPR) and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application. Additionally, we note the comments of the Air Force OPR indicating the contested reenlistment document is erroneous and agree with their determination the applicant's records should be corrected administratively. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the requested relief.
4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and 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 AFBCMR Docket Number BC-2012-00658 in Executive Session on 31 Oct 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00658 was considered:

- Exhibit A. DD Form 149, dated 15 Feb 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOA, dated 23 Jul 12, w/atch.
- Exhibit D. Letter, SAF/MRBR, dated 6 Aug 12.

Panel Chair