



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

NOV 24 1998

Office of the Assistant Secretary

AFBCMR 98-00605

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that the five-year Active Duty Service Commitment (ADSC) incurred as a result of completion of B-2 Initial Qualification Training (IQT) be, and hereby is, declared void.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

NOV 24 1998

IN THE MATTER OF:

DOCKET NUMBER: 98-00605

COUNSEL: [REDACTED]

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

All information relating to any Active Duty Service Commitment (ADSC) associated with B-2 Initial Qualification Training (IQT) be removed from his records.

APPLICANT CONTENDS THAT:

At no time during the application process, interview, selection notification, permanent change of station (PCS) out-processing, PCS in-processing, course introduction and course completion was there any mention of, counseling on, or signing of anything in connection with an ADSC for B-2 IQT; and that this is evidenced by the absence of any supporting documentation, such as an AF Form 63 or Statement of Understanding, and the written and verbally admitted lack of any B-2 IQT ADSC process by squadron, operations group, and wing supervisors.

He states, in part, that he made his decision to separate from the Air Force in August 1997 and it affected subsequent career progression decisions. He decided not to apply for Test Pilot School (a personal goal for years) and declined an instructor upgrade offer due to the associated ADSCs. Following the emergence of the B-2 training ADSC issue with subsequent words and measures taken by wing leaders to remove the involuntary commitment, he expected the UPT ADSC to be the most binding.

Applicant's complete statement and documentary evidence submitted in support of his application are included at Exhibit A.

STATEMENT OF FACTS:

Applicant, a captain, volunteered and graduated from B-2 IQT Class 8 on 23 December 1996. As a result, he incurred a five-year ADSC of 22 December 2001. The ADSC was not established in his records until some six months after he completed the IQT.

AIR FORCE EVALUATION:

HQ AFPC/DPPRS recommends that the application be denied. It indicates, in part, that Air Force policy is that officers receive ADSCs voluntarily; if they are unwilling to accept the ADSC, they are to elect separation from the Air Force in lieu of undergoing the training. Officers are normally advised of these ADSCs in writing and their acknowledgment of their understanding and acceptance of the ADSC is normally documented in writing, on AF Form 63. Occasionally, this procedure is not followed in exact accordance with delineated procedures. In those cases, the Air Force still awards the ADSC as the vast majority have been incurred with the officer's full understanding and willing acceptance. The onus is on the officer to prove that he unwittingly incurred an ADSC for training he would not have accepted had he been aware of the ADSC prior to entering the training.

In August 1997, AFPC discovered an Air Force Training Management System (AFTMS) database error for several ADSCs, including the B-2 IQT, and immediately initiated the systems fix to update the correct ADSCs - in the case of B-2 IQT, five years from course graduation date. This discovery originated in part with HQ Air Combat Command's (ACC) discovery that the records of B-2 IQT graduates were not being updated with the five-year ADSCs they were incurring for the training. At that time, ACC requested AFPC to update five-year ADSCs for the most recent B-2 IQT class. Applicant's record was affected by this update. This update properly set his ADSC out to 22 December 2001.

Applicant states that nowhere in the process of his selection for and subsequent PCS to attend B-2 IQT was he briefed on the proper ADSC he would incur for this training. Admittedly, proper counseling procedures were not followed in his case. However, as stated earlier, the burden is on applicant to prove that he unwittingly incurred an ADSC for training he would not have accepted had he been aware of the ADSC prior to entering the training. Applicant has an extensive history of volunteering for and accepting training and the associated ADSCs for training in several aircraft systems. In his case specifically, the issue is whether an officer as experienced as he is in receiving ADSCs for flying training, truly unwittingly incurred an ADSC which he would not have been willing to accept had he been completely and timely advised of the ADSC.

Applicant claims that at the time he volunteered for retraining into the B-2, he was told he would only incur the two-year ADSC for the PCS assignment associated with the retraining. Notably, nowhere does he state that he would not have accepted the assignment to the B-2 had he had knowledge of the five-year ADSC. If the ADSC was in fact a weighing factor in his decision to accept training, applicant could have easily referred to AFI 36-2107 to see that it clearly states the commitment for IQT in an aircraft as five years. It is inconceivable that given his history of voluntarily attending flying training courses and accepting their

associated ADSCs, that he would not understand that IQT in the Air Force's newest and most advanced bomber carried with it an ADSC that was at the very least comparable to the previous IQT courses he completed. His alleged concern over the length of the commitment associated with this training should have awakened his professional obligation to pursue the matter further; a little research into the AF Instruction in effect at the time would have revealed it plainly stated the commitment for IQT in an aircraft as five years. This instruction was (and still is today) published for use Air Force-wide and was readily available for his review at the time (Exhibit C with Attachments 1 through 4).

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant states, in part, that he had no knowledge of any additional ADSC required beyond the two-year PCS and three-year T-38 PIT commitments he accepted with his assignment to [REDACTED] for transition to the B-2. The Wing did not consider B-2 IQT to be formal training and did not even consider it to be an ADSC-incurring event. He never agreed to a five-year ADSC; he would have turned down training had he been given the choice. Not one B-2 pilot to date has formally accepted a five-year ADSC before entering training. He was not alone in his understanding of the commitment for B-2 training.

Applicant further states that the HQ AFPC/DPPRS advisory opinion challenges some of the evidence he presented in his initial package. However, he retracts nothing from his initial package. He will now provide further information that will prove his position and further comment on the manner in which the Air Force has handled this issue. His presentation is divided into seven categories (I through VII) and ends with closing comments (VIII). He will use the word "They" when referring to HQ AFPC/DPPRS. Incidentally, he is a captain - not a major as referenced 17 times in their memorandum. Applicant's complete statement is included as Exhibit G with Attachments 1 through 22.

Applicant's counsel states, in part, that the Air Force appears on the verge of serious legal and public errors with the ADSC of applicant and several other B-2 pilots. It appears crystal clear that applicant would have rejected the B-2 assignment/training had he known of a five-year ADSC. This is especially so because he has a learning-challenged child; he was already at Whiteman AFB and he knew it might be difficult to nurture his child in the relatively rural local school system. Why would he commit to a situation which might prove harmful to his family?

As applicant's advocate, he calls particular attention to the following ten points:

a. Applicant is suddenly being told he owes three more years to the Air Force. This is personnel's novel, new stand despite the

fact that the system failed and AFPC then unilaterally changed the ground rules.

(1) In the old system: [1] counseling was mandatory; and [2] it was reflected in a Form 63 to memorialize a clear and mutual understanding of any ADSC. Under the new system, transfer to a new assignment means that the member tacitly accepts whatever undocumented ADSC AFPC maintains is associated with it. AFPC apparently insists this is true even if the system totally misled the member!

(2) This is blatantly switching legal and personnel horses midstream. Applicant is clearly right - the Air Force cannot unilaterally violate its own regulatory obligation to counsel him; and it cannot abandon time-honored procedures to reach a mutual agreement as to his time commitment.

b. The Air Force apparently admits violating its own regulations by not counseling or otherwise advising applicant of any ADSC associated with the B-2 program - specifically or generally.

c. Applicant exercised due diligence by asking MPF professionals about his ADSC. He was advised that his ADSC would be two years after a PCS - nothing more. He relied on that. Now, in an abrupt change, AFPC is embracing a new dogma. Any objective review shows that the established doctrine was consistent and universal; under it, applicant obviously had to sign a Form 63 to establish his commitment. Now, that long-standing canon is dismissed as mere surplusage.

d. By any fair reading, applicant elected to come to [REDACTED] on the stated ADSCs for the assignment. To repeat for emphasis, he was counseled that he had voluntarily agreed to a two-year ADSC for his PCS. The Air Force now seeks to unilaterally change that agreement by imposing a five-year ADSC - an ADSC which [REDACTED] AFB's MPF advised applicant did not exist.

(1) Applicant then based his decision to leave on that selfsame ADSC data. The captain is an honorable man - he would not try transitioning to civilian life if he had any inkling that his expected separation would be denied under new one-sided rules, changed by a fickle Air Force.

e. Applicant's interpretation of the ADSC mirrors the understanding of all of his peer group. Among applicant and the other 15 B-2 pilots interviewed, everyone held to this viewpoint. Can the Air Force seriously contend that 16 of its bright young B-2 pilots are hamming or "playing dumb"?

f. Applicant's MPF and supervisors all believed that the "old rule" and its clear procedures were mandatory. This was so up through the [REDACTED] Air Force CC, General "F" - all apparently had the same misunderstanding.

g. AFPC's position cannot pass the "say it with a straight face" test. A five-year ADSC? With no documentation? Not one B-2 pilot to date has formally accepted a five-year ADSC before entering training!

h. Embarrassingly, AFPC can't even get straight what applicant's ADSC is. AFPC first sought to impose a two-year ADSC for the B-2 IQT, then a five-year commitment ... and now, it apparently mandates a three-year commitment. Applicant's purported ADSC date has no rational relationship to anything in his professional career.

i. No one is above the law - but nobody is below it either. From all reports, another B-2 pilot has successfully won release. His professional situation is precisely the same as that of applicant. If anything, applicant's family difficulties [a child with Attention Deficit Disorder] make his case even more persuasive than that of the second pilot. Yet the other pilot is allowed to go ... and applicant is not.

j. There is the serious matter of miscounseling. AFI 36-2107 procedures were never remotely followed in this case. That instruction has the force of law. It requires the Air Force to counsel officers about AFSC [sic]-incurring events. That insures that ADSCs are voluntarily, knowingly established.

Counsel further states that if the Air Force advisory stands, it will amount to a unilateral Air Force action to illegally force an additional commitment upon applicant. Thus, he becomes much like the "indentured servant" of colonial times. This result is unwise and unjust for several reasons. For the family of applicant, it will mean severe hardship. For Air Force leadership in an era where credibility problems are rampant - especially in aviator ranks - it will present a grievous breach of faith. For the public, it will reveal USAF ineptitude ... just when the establishment hopes that Kelly Flynn-type cases are passing from public consciousness.

Clearly, applicant inquired over and over again about any commitments involved in the B-2 program. Nowhere was he counseled or otherwise notified of an ADSC other than that associated with his PCS. As he shared fellowship with other B-2 pilots, no one mentioned counseling, no one mentioned an additional ADSC. As a matter of fact, when the issue surfaced, applicant's wing commander stood with him. It was only when more senior leadership imposed doctrinal discipline that the Whiteman AFB command reneged on their original support.

From discussions with other attorneys specializing in military administrative law, it appears clear that several ADSC cases are ripe for the media and the courts. Based on precedent, it is likely that the Air Force will lose those cases due to dis-information to its members. See, for example, *Pencé v. Brown*,

627 F.2d 892 (8th Cir. 1980); *Brown v. Dunleavy*, 722 F.Supp. 1343 (E.D. Va. 1989); *Withum v. O'Connor*, 506 F.Supp. 1374 (D.P.R. 1981).

Moreover, it appears to be common knowledge that senior AFBCMR members and staff are routinely briefed by AFPC on issues of contemporary importance. It is likely that such ex parte discussion occurred in these cases. That might explain how - on equal facts - some applicants are successful, yet others have failed.

Finally, a few words about morale. Why the Air Force seeks to keep its sophisticated B-2 manned by personnel who "want out" is a mystery. Whatever the rationale, one thing is clear: Air Force errors with ADSCs come at a bad time - pilot retention is at a crucial low. However, morale is not enhanced by "hanging tough" with these young pilots. There are a variety of solid, legitimate ways for the Air Force to resolve its pilot hemorrhage. Shanghaing applicant is not one of them.

In conclusion, counsel states that applicant - and others - obviously plan to resist their continued, compulsory military service by all legitimate means, including the judicial process (Exhibit H).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of either an error or an injustice warranting favorable action on the applicant's request. Applicant contends that at no time during the application process, interview, selection notification, PCS out-processing, PCS in-processing, course introduction, and course completion was there any mention of, counseling on, or signing of anything in connection with an ADSC for B-2 IQT; and that this is evidenced by the absence of any supporting documentation, such as an AF Form 63 or Statement of Understanding, and the written and verbally admitted lack of any B-2 IQT ADSC process by squadron, operations group, and wing supervisors. Lastly, the applicant asserts that he never agreed to a five-year ADSC and would have turned down the training had he been given the choice. He also adds that not one B-2 pilot to date has formally accepted a five-year ADSC before entering B-2 IQT.
4. HQ AFPC/DPPRS admits that proper counseling procedures were not followed in this case. However, it is believed the burden is on the applicant to prove that he unwittingly incurred an ADSC for training he would not have accepted had he been aware of the ADSC

prior to entering the training. It is noted that the applicant has an extensive history of volunteering for and accepting training and the associated ADSCs for training in several aircraft systems. In his case specifically, the issue is whether an officer as experienced as he is in receiving ADSCs for flying training, truly unwittingly incurred an ADSC which he would not have been willing to accept had he been completely and timely advised of the ADSC. If the ADSC was in fact a weighing factor in applicant's decision to accept training, HQ AFPC/DPPRS argues that he could easily have referred to the appropriate AFI. Lastly, that office believes it is inconceivable that, given his history of voluntarily attending flying training courses and accepting their associated ADSCs, he would not understand that IQT in the Air Force's newest and most advanced bomber carried with it an ADSC that was at the very least comparable to the previous IQT courses he completed. His alleged concern over the length of the commitment associated with this training should have awakened his professional obligation to pursue the matter further.

5. We agree with HQ AFPC/DPPRS that if it can be established that an officer was aware of an ADSC and completed the training rather than exercising the 7-day option to separate, the officer, in effect, has voluntarily incurred the ADSC. Had this been the case, we may have reached a different result. However, according to statements from the applicant's squadron commander, operations group commander, B-2 IQT classmates and a host of officers who had previously completed the training, the understanding was that there was only a two-year PCS service commitment involved. We note, too, that when the applicant was eventually properly counseled by his MPF of the five-year B-2 ADSC, he declined the training and attempted to separate under the 7-day option policy. Because he was not counseled in advance and had completed the training, however, he no longer had the option of separating rather than incurring the ADSC

6. It is incredulous that such a crucial requirement as advance counseling of the ADSC could have been overlooked by AFPC, the gaining and losing MPFs, and the superior officers closely associated with the B-2 IQT. However, the preponderance of the evidence before us suggests this to be the case. Given the applicant's previous experience with ADSC-incurring events, one could still argue (as AFPC does) that the applicant should have felt an obligation to seek out information from an authoritative source; i.e., the governing AFI. On the other hand, after inquiring with a number of officers who should have known the ADSC and, more significantly, the offices that had a regulatory responsibility to properly counsel him, we do not believe that it is unreasonable for the applicant to have relied on the assertion of only a two-year PCS ADSC from official sources notwithstanding his prior experience with ADSC-incurring events. This belief is supported by the fact that, in apparent recognition of the widespread miscounseling concerning the B-2 IQT ADSC, the Operations Group Commander at the training site indicated to the former AFPC/DPPRS advisory writer that he was preparing a package

to submit through command channels recommending deletion of the five-year ADSC for classes 1-10 (See Attachment 19 to Exhibit G).

7. We will never be certain that the misinformation concerning the B-2 IQT ADSC caused the applicant to make a decision to his detriment at the time. On the other hand, the evidence is overwhelming that he was not counseled in advance and given the opportunity to voluntarily incur the five-year ADSC as contemplated by Air Force policy. Therefore, in the absence of clear-cut evidence to the contrary, we believe that the applicant has sustained his burden of establishing the existence of either an error or an injustice warranting favorable action on his request.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that the five-year Active Duty Service Commitment (ADSC) incurred as a result of completion of B-2 Initial Qualification Training (IQT) be declared void.

The following members of the Board considered this application in Executive Session on 30 October 1998 and 6 November 1998, under the provisions of AFI 36-2603:

Mr. Benedict A. Kausal IV, Panel Chair
Mr. Charles E. Bennett, Member
Mr. Henry Romo Jr., Member

All members voted to correct the records as recommended. The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 2 Feb 98, with Attachments.
Exhibit B. Microfiche Copy of Applicant's Master Personnel Records.
Exhibit C. Letter, HQ AFPC/DPPRS, dated 15 Jun 98, with Attachments.
Exhibit D. Letter, SAF/MIBR, dated 29 Jun 98.

- Exhibit E. Letter from Applicant, dated 20 Jul 98.
Exhibit F. Letter from AFBCMR, dated 29 Jul 98.
Exhibit G. Letter from Applicant, dated 12 Sep 98, with
Attachments.
Exhibit H. Letter from Counsel, dated 15 Sep 98.


BENEDICT A. KAUSAL IV
Panel Chair



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

15 JUN 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRS
550 C St West, Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records [REDACTED]

Requested Action: [REDACTED] requests that all information relating to any Active Duty Service Commitment (ADSC) associated with B-2 Initial Qualification Training (IQT) be removed from his record. He further asks that his commitment for Undergraduate Pilot Training (UPT) be reinstated as his binding commitment, which expires 15 May 98.

Basis for Request: [REDACTED] claims that "At no time during the application process, interview, selection notification, PCS outprocessing, PCS inprocessing, course introduction, course completion was there any mention of, counseling on, or signing of anything in connection with an ADSC for B-2 IQT. This is evidenced by the absence of any supporting documentation, such as an AF Form 63 or Statement of Understanding, and the written and verbally admitted lack of any B-2 IQT ADSC process by squadron, operations group, and wing supervisors. The 2-year ADSC for PCS was and is the only known and accepted commitment for the assignment."

FACTS:

a. The Air Force routinely assigns active duty service commitments (ADSCs) to officers as a result of training IAW AFI 36-2107 (ADSC and Specified Period of Time Contracts (SPTC), dated 6 Jul 94), para 1.1 (Atch 1). This not only provides for projections of future manning availability, but also ensures the American taxpayers are receiving a return for the investment they make in training Air Force officers.

b. Air Force policy is that officers receive these ADSCs voluntarily; if they are unwilling to accept the ADSC, they are to elect separation from the Air Force *in lieu of undergoing the training*. Officers are normally advised of these ADSCs in writing and their acknowledgment of their understanding and acceptance of the ADSC is normally documented in writing, on AF Form 63 (ADSC Counseling Statement). Occasionally, this procedure is not followed in exact accordance with delineated procedures. In those cases, the Air Force still awards the ADSC, as the vast majority have been incurred with the officer's full understanding and willing acceptance. The onus is on the officer to prove that he unwittingly incurred an

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ADSC for training he would not have accepted had he been aware of the ADSC prior to entering the training.

c. In August 1997, AFPC discovered an Air Force Training Management System database error for several ADSCs, including the B-2 IQT, and immediately initiated the systems fix to update the correct ADSCs--in the case of B-2 IQT, 5 years from course graduation date. This discovery originated in part with HQ Air Combat Command's (ACC) discovery that the records of B-2 IQT graduates were not being updated with the 5 year ADSCs they were incurring for the training. At that time, ACC requested AFPC to update 5 year ADSCs for the most recent B-2 IQT class. [REDACTED] record was affected by this update. This update properly set his ADSC out to 22 Dec 2001. (Note: As a result of human error, the 5 year ADSC was initially mistakenly added to a future graduation date--Dec 97--instead of the actual class graduation date, according to the AF Training Management System, of 23 Dec 96. This mistake was corrected upon discovery several weeks later.)

DISCUSSION:

a. [REDACTED] states that nowhere in the process of his selection for and subsequent PCS to attend B-2 IQT was he briefed on the proper ADSC he would incur for this training. Admittedly, proper counseling procedures were not followed in his case. However, as stated earlier, the burden is on [REDACTED] to prove that he unwittingly incurred an ADSC for training he would not have accepted had he been aware of the ADSC prior to entering the training. [REDACTED] has an extensive history of volunteering for and accepting training, and the associated ADSCs for training in several aircraft systems. In his case specifically, the issue is whether an officer as experienced as he is in receiving ADSCs for flying training, truly unwittingly incurred an ADSC which he would not have been willing to accept had he been completely and timely advised of the ADSC.

b. [REDACTED] claims that at the time he volunteered for retraining into the B-2, he was told that he would only incur the 2 year ADSC for the PCS assignment associated with the retraining. Notably, nowhere does he state that he would *not* have accepted the assignment to B-2, had he had knowledge of the 5 year ADSC. If the ADSC was in fact a weighing factor in his decision to accept training, [REDACTED] could have easily referred to AFI 36-2107 to see that it clearly states the commitment for IQT in an aircraft as 5 years. It is inconceivable that given his history of voluntarily attending flying training courses and accepting their associated ADSCs, that he would not understand that IQT in the Air Force's newest and most advanced bomber carried with it an ADSC that was at the very least comparable to the previous IQT courses he completed. His alleged concern over the length of the commitment associated with this training should have awakened his professional obligation to pursue the matter further; a little research into the AF Instruction in effect at the time (AFI 36-2701, Table 1.5, Rule 1, dated 6 Jul 94) would have revealed it plainly stated the commitment for initial qualification in an aircraft as 5 years. (Atch 2) This instruction was (and still is today) published for use Air Force-wide and was readily available for his review at the time.

98 00605

c. In his application, [REDACTED] implies his wing leadership's position on the B-2 IQT ADSC as, "there would be no B-2 training ADSCs for pilots through IQT class 10." However, contrary to [REDACTED] belief, Brig Gen Goslin, then commander of the 509th Bomb Wing, was *not* in favor of removing or adjusting the B-2 ADSCs. In fact, in a 27 Mar 98 letter to the SAF Personnel Council concerning the separation request of another B-2 pilot, [REDACTED] stated emphatically that he "...did not prepare and forward a paper to [REDACTED] [Commander, ACC] on B-2 ADSCs." Additionally, he indicates in that same letter that "...because of the resources spent training these individuals, and since the 509th Bomb Wing is a growing unit and these officers were part of the personnel plan to have a complete crew force in place when the full force structure was delivered in the year 2000, I recommended upholding an ADSC enforced from the date they completed B-2 qualification training." (Atch 3)

d. The fact of the matter is, [REDACTED] volunteered for retraining into this new bomber aircraft to hold that distinction of becoming a part of the initial cadre to carry the B-2 force through the year 2000. It is obvious this ADSC did not become an issue until well after he had completed training and began considering employment outside the Air Force. By virtue of voluntarily completing the B-2 IQT course, [REDACTED] in effect voluntarily incurred the associated ADSC (AFI 36-2701, para 1.1).

e. Lastly, [REDACTED] introduces the fact that he has simultaneously applied for separation. We have received the Secretary of the Air Force's decision on this matter, and it clearly supports our position of holding [REDACTED] responsible for serving his complete ADSC for B-2 IQT. In a letter dated 7 Apr 98, the Secretary of the Air Force stated, "that the resignation of this officer prior to completion of his active duty service commitments (ADSCs) is not considered to be in the best interest of the Air Force at this time," and declined to accept [REDACTED] resignation and request for separation. (Atch 4)

RECOMMENDATION: Denial

a. We believe the awareness of the association of ADSCs with flying training is so commonplace that, particularly given [REDACTED]'s previous experience of receiving ADSCs for flying training, he volunteered for and accepted the training fully aware that he would receive an ADSC. Again, nowhere does he state that he would have turned down training had he "known" about the 5 year ADSC:

b. The presumption of [REDACTED]'s foreknowledge of the ADSC and his completion of the training rather than opting for separation from the Air Force in lieu of attending training, constitute his tacit acceptance of the ADSC, and overcome the absence of formal documentation of his acceptance of the ADSC.

c. We can detect no significant harm which he has experienced or will experience as a result of serving his legitimate commitment. We do not consider a deferred opportunity to seek post-Air Force employment significant harm or hardship, as member will undoubtedly claim. Moreover, given the Air Force's critical need for experienced pilots--especially in a new

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weapons system--it is of vital importance to the Air Force mission to retain his services for the full tenure of his ADSC.

d. However, if the decision is to grant the relief sought, the record should be corrected to show [REDACTED] as the most binding ADSC as 15 May 98, for Undergraduate Flying Training, as he requested in his application. HQ AFPCDPPRS can correct the personnel data system if [REDACTED] application is approved.

e. If you have any questions concerning the ADSC, POC is TSgt Pullen, HQ AFPCDPPRS, DSN 487-5622


PAULA A. GOODE, Major, USAF
Assistant Chief, Separations Branch
Directorate Personnel Program Management

Attachments:

1. AFI 36-2107, para 1.1
2. AFI 36-2107, Table 1.5, Rule 1
3. 509 BW/CC Letter, 27 Mar 98
4. SECAF Personnel Council Decision Ltr,
7 Apr 98

9800605

Paragraph

Restrictions on Using **SPTC**..... 2.2
 Applying for a **SPTC** 2.3
Section B--Responsibilities
 Commander..... 2.4
 MPF Personnel; 2.5
 MAJCOMs 2.6
 AFMPC 2.7

Forms Prescribed

AF Form 63. Officer Active **Duty** Service Commitment (ADSC) Counseling Statement 1.3.1
 AF Form 161. Airman Active **Duty** Service Commitment (ADSC) Counseling Statement 1.3.1
 AF Form 233. Specified Period of Time Contract (SPTC) 2.3

Page

Tables

1.1. Extended Active **Duty** (EAD) ADSC 5
 1.2. EAD ADSCs for Prehealth Professions Program (AFROTC Cadets) 6
 1.3. ADSC for DoD-Sponsored Basic Health Education Training 7
 1.4. Undergraduate Flying Training (**UFT**) ADSCs 9
 1.5. Advanced Flying Training ADSCs 10
 1.6. Education ADSCs 13
 1.7. Training **ADSCs** 19
 1.8. ADSC After Withdrawal or Elimination From Education or Training 22
 1.9. Permanent Change of Station (PCS) ADSCs 24
 1.10. Officers of the Medical Services. Health. and Health Related Education and Training ADSCs 25
 1.1.1. **ADSC** for Accepting Continuation Pay or Special Pay 42
 1.1.2. Special ADSC **Incurring** Programs for Officers 43
 1.13. Airman ADSCs for Promotion 44
 1.14. Airman ADSCs for Training or Education..... 45
 1.15. **ADSCs** for AF Reserve Officer Training **Corps** (AFROTC) Contract Violators 46
 2.1. **SPTC** Processing Procedures for Line of the Air Force Officers 48
 2.2. SPTC Processing Procedures for Judge Advocate and Chaplains 49
 2.3. **SPTC** Processing Procedures for Medical Service Officers 50

Attachment

1. **Glossary** of References. Abbreviations. Acronyms. Terms. and Addresses 52

Chapter 1

ACTIVE DUTY SERVICE COMMITMENT (ADSC)

Section A--Program Elements

1.1. Incurring an ADSC. You incur an ADSC when you are selected for and complete an ADSC-incurring event:

- A permanent change of station (PCS).
- Completion of an education or training course.
- Promotion to the grades of captain through colonel, except in the Medical or Dental Corps.

1.2. Determining What Is an ADSC-Incurring Event. AFMPC, MAJCOMs, or commanders may select you for an ADSC-incurring event. You can also select yourself if

you elect to use tuition assistance, the Minuteman Education Program (MMEP), or the Missile Crew Member Education Program (MCMEP) for off-duty education (officers only).

1.3. Counseling on ADSCs. The military personnel flight (MPF) or the director of personnel education (DPE) counsels you on the commitment you will incur.

1.3.1. You then complete an AF Form 63. Officer Active Duty Service Commitment (ADSC) Counseling Statement, an AF Form 161. Airman Active Duty

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eff → 3 Aug 97

Table 1.5: Advanced Flying Training ADSCs (Officer Only)

J L E	A	B	C	D	E
	If training is (see notes 1 and 2)	then ADSC is	and supporting documents are	and ADSC Code is	use this ADS statement on the AF Form 63
1	initial qualification in an aircraft and all initial qualification training in helicopter systems (except as listed in rules 7, 8, 9, 10, 12, 13 and 14)	5 year	any official document bearing the date training was completed such as certificate, special orders, training report, or AF Form 63 (or similar document)	05	"5, 3, 2, or 1 year(s) from completion for (COURSE-ID)".
2	fixed-wing Qualification			04	
3	test pilot or test navigator course			05	
4	USAF weapons school (see note 3)				
5	requalification in an aircraft (except as listed in rules 15, 16, 17, and 18)	3 year			
6	requalification/TX training in fighter weapon system group aircraft (see note 4)				
7	AETC initial pilot instructor training (PIT), in-unit requalification for T-34, T-37 and T-38, AT-38, T-43, T-44, T-1, and T-2 pilot initial/requalification training, in-unit requalification/initial navigator instructor training in T-43, and electronic warfare officer (EWO) training course (see note 5)				
8	initial nonmajor airlift weapon system training (C-9, C-12, C-20, C-21, C-22, C-23, C-25, C-26, C-27, C-29, C-32, VC-32, C-37, C/WC/VC-135, C/YC-137, C-140, T-39, CASA 212) (see note 4)				
9	cross-training from any non-fighter major weapon system MWS) (KC-135, KC-10, C-135, RC-135, E-3, E-4, E-8, C-S, C-141, C-130, EC-30, HC-130, MC-130, AC-130, C-17, B-1, B-52, B-2, J-2, UH-1H, MH-53J and HH-60G) to another non-fighter MWS				

(Table continued on next page)

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Table 1.5. Continued.

R U L E	A	B	C	D	E
	If training is (see notes 1 and 2)	then ADSC is	and supporting documents are	and ADSC Code is	use this ADSC statement on the AF Form 63
10	initial qualification training in U-2	3 years			
11	qualification (upgrade or mission) in current aircraft (IP, AC, etc.) (Except as listed in rule 19)	2 years			
12	initial qualification training conducted in Air Force Material Command (AFMC)				
13	initial qualification training conducted at US Air Force Academy (USAFA) in TG-7, UV-18, and T-43 (Navigator only)				
14	initial qualification training in T-41 or T-3				
15	requalification training in T-41 or T-3	1 year			
16	requalification training conducted in Air Force Material Command (AFMC)				
17	in-unit qualification training conducted in Air Force Material Command (AFMC) for T-37, T-38, T-39, U-6, UV-18				
18	requalification training conducted at US Air Force Academy (USAFA) in TG-7, UV-18, and T-43 (Navigator only)				
19	instructor upgrade training conducted at US Air Force Academy (USAFA) in UV-18				
20	other than specified in rules 1 thru 19 (see note 7)	determined by AFPC/DPPRP			

(Notes to table continued on next page)

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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS SOOTH BOMB WING (ACC)
WHITEMAN AIR FORCE BASE, MISSOURI

27 MAR 1998

MEMORANDUM FOR SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL

FROM: 509 BW/CC
509 SPIRIT BLVD, STE 509
WHITEMAN AFB MO 65305-5055

SUBJECT: Separation Request of

1. I received [redacted] request for separation in August 1997. I asked my MPF if [redacted] had an ADSC. I was informed that he did and that it would expire on 2 February 1998. Based on this information, I recommended approval of his request for separation effective 3 February 1998.
2. In the following weeks, it came to my attention that there was a problem with ADSCs not being correctly processed for B-2 qualification training. The problem was raised with ACC and AFPC and it was found to be much more widespread than just the B-2 community. Subsequently, since AFI 36-2107 and its predecessor, AFR 36-51, have been in effect for many years and pilots have always known that ADSCs come with formal flying training, the Air Force has taken a position that all pilots who have ever received, or are receiving, B-2 qualification training have an ADSC. The length of that commitment depends on whether they received training before 3 August 1997, in which case it is five years, or after, in which case it is three years.
3. If [redacted] had brought his request for separation to me for my recommendation after ACC/DP informed me about the widespread problem with the ADSCs, I would have recommended disapproval. Since then, there have been three other B-2 pilots who have requested separation and I have recommended disapproval. My recommendation for disapproval is based on the Air Force position that B-2 pilots incurred an ADSC for their B-2 training. Additionally, because of the resources spent training these individuals, and since the 509th Bomb Wing is a growing unit and these officers were part of the personnel plan to have a complete crew force in place when the full force structure was delivered by the year 2000, I recommended upholding an ADSC enforced from the date they completed B-2 qualification training.
4. [redacted] provided a copy of a letter he sent to the [redacted], Three of the points raised by [redacted] in his letter are incorrect. The first, in paragraph 4, sentence 5, is in error because I did not prepare and forward a paper to General Hawley on B-2 ADSCs. Second, paragraph 5, sentence 7, is [redacted] opinion and not supported by any empirical data. And third, paragraph 7, sentence 2, the Air Force has not disregarded my agreements with [redacted].

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9800605

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5. In closing, I am responding at this time because, since January 1998, [redacted] has communicated to me directly that he was still considering remaining in the Air Force. (Because of this, I personally requested that AFPC hold on the processing of [redacted] separation paperwork, in an effort to allow him the appropriate time to make a final decision.) Additionally, he has told me that he wanted to at least remain on active duty until the completion of a nuclear ORI in June 1998. At the beginning of March 1998, I counseled [redacted] that the wing was forecasting the operations leadership personnel line-up for the post '98 summer PCS cycle and that I had to know his final decision so that I knew who would be positively available. On 26 Mar 1998, [redacted] informed the 509 OG/CC he wished to pursue a request for separation as early as possible. Accordingly, I now recommend disapproval of his request to separate prior to completion of his ADSC for B-2 IQT.

Sincerely


THOMAS B. GOSLIN, JR., Brig Gen, USAF
Commander

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DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

7 APR 1998

ACTION
of the
SECRETARY OF THE AIR FORCE

The Secretary of the Air Force declines to accept the resignation tendered on January 30, 1998 by [REDACTED] for the separation date requested.

The Secretary has determined that the resignation of this officer prior to completion of his active duty service commitments (ADSCs) is not considered to be in the best interest of the Air Force at this time.

Kenneth M. Parsons
KENNETH M. PARSONS
Colonel, USAF
Deputy Director
SAF Personnel Council

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