

RECORD OF PROCEEDINGS

IN THE MATTER OF:

████████████████████ (DECEASED)
(MEMBER)

████████████████████
(APPLICANT)

DOCKET NUMBER: BC-2020-03420

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

The deceased service member's DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be amended to include his inactive service in the Air Force Reserve and his rank show captain (O-3).

APPLICANT'S CONTENTIONS

His Reserve service is not reflected on his DD Form 214. She found documents addressed to her father with the rank of captain.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The deceased service member is a former Air Force first lieutenant (O-2).

His DD Form 214 shows he entered a period of active duty on 29 Nov 55 and was released from active duty on 1 Oct 57 in the rank of first lieutenant (O-2). Upon discharge, he was transferred to the Inactive Status List Reserve Section (ISLRS).

The applicant provides a death certificate showing the former service member's death as 23 Jun 18.

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

AIR FORCE EVALUATION

ARPC/DPTS recommends denial. There is no substantiating documentation or proof of an error or injustice. The grade the former service member held at the date of separation of the DD Form 214 is what will be present on the DD Form 214. This is per the Personnel Services Delivery Guide (PSDG), which states "Active duty grade held at the close out date of the DD Form 214."

The DD Form 214 also cannot be altered to change the date of separation due to lack of sufficient documentation. An Air Reserve Component member is required to serve 90 continuous calendar days or more active duty to qualify for a DD Form 214. If the applicant has additional documentation verifying such active duty service, it should be provided to them.

The complete advisory opinion, with attachments, is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 9 Feb 22 for comment (Exhibit D). In a response dated 6 Mar 22, the applicant states they do not know how to track down the missing records for her father. They know his final separation from the Air Force was as a captain, which he earned as a Reservist. They would like to honor his life with his correct military rank on his gravestone. They hope there is an appropriate way to recognize his rank within the military protocol.

The applicant's complete response is at Exhibit E.

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 former service member is not the victim of an error or injustice. The Board Majority concurs with the rationale and recommendation of ARPC/DPTS and finds a preponderance of the evidence does not substantiate the applicant's contentions. In this respect, the Board Majority finds the former service member's DD Form 214 correctly reflects his rank of first lieutenant as of his date of discharge on 1 Oct 57. While the Board notes the former service member may have been promoted to the rank of captain while in the Air Force Reserve, this is insufficient to warrant a change to his grade or his service dates on his DD Form 214. As pointed out by ARPC/DPTS, the Board Majority finds there is no evidence to show the former service member performed a qualifying period of active duty service with the Air Force Reserve for issuance of a DD Form 214 in accordance with AFI 36-3202 and the PSDG. Therefore, the Board Majority recommends against correcting the applicant's records.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2020-03420 in Executive Session on 6 Apr 22:

██████████, Chair, AFBCMR
██████████, Panel Member
██████████, Panel Member

A majority of the panel voted against correcting the record. ██████████ *Work-Product* voted to correct the record and did not provide a minority opinion. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 21 Oct 20.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, ARPC/DPTS, w/atchs, dated 31 Jan 22.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 9 Feb 22.
Exhibit E: Applicant's Response, dated 6 Mar 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.