

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-02436

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued 11 Jan 88, item 6, *Place of Entry Into Active Duty (PLEAD)*, be changed from XXXXXX to XXXXXX.

APPLICANT'S CONTENTIONS

His DD Form 214 does not reflect the correct PLEAD. While stationed at XXXXXX Air Force Base (AFB), XXXXXX, the re-enlistment counselor erroneously placed XXXXXX as his PLEAD, which was his duty station when he began his third enlistment. His dependent son was not able to utilize XXXXXX state benefits due to the error.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

According to the documentation provided by the applicant, National Personnel Records Center Document and Fiche Listing, and analysis of the facts, the following information is provided:

The applicant is a former Air Force staff sergeant (E-5).

On 6 Feb 75, according to the initial SF 93, *Report of Medical History*, item 3, *Home Address*, and initial SF 88, *Report of Medical Examination*, item 4, *Home Address*, his address was annotated as XXXXXX.

On 12 Jan 82, according to the Document and Fiche Listing, the applicant re-enlisted while assigned in XXXXXX.

On 7 Mar 82, according to the AF Form 910, *Airman Performance Report*, he was stationed in XXXXXX.

On 9 Oct 87, according to AF Form 100, *Request and Authorization for Separation*, Special Order Work-Pro... the applicant's home of record is listed as XXXXXX and PLEAD is identified as XXXXXX.

On 11 Jan 88, according to the documentation provided by the applicant, he was released from active duty and issued a DD Form 214, *Certificate of Release or Discharge from Active Duty*, for the period 12 Jan 82 to 11 Jan 88. He was credited with 6 years of active service for this period and 6 years, 6 months, and 24 days of prior active service for a total of 12 years, 6 months, and 24 days, with no break in service. His PLEAD is identified as XXXXXX.

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

APPLICABLE AUTHORITY

The Joint Travel Regulations (JTR), Appendix A, defines the Place of Enlistment as the place of acceptance in current enlistment, commission, or appointment of an active service member, or of a Reserve Component member when appointed, commissioned, enlisted, inducted, or ordered into a tour of active duty. The JTR further states that the place which called/ordered to active duty changes only if there is a break in service exceeding one full day, in which case it is the place of entry into the new period of service. Additionally, in instances of a bona fide error where the place originally named at the time of current entry into the service was not in fact the actual place of entry onto Active Duty, the correction must be fully justified and the PLEAD, as corrected, must be the Military Entrance Processing Station location where the member (for Regular Air Force enlisted) entered active duty and not delayed enlistment. Also, this should not be a different place selected for the member's convenience.

According to the DD Form 214 Personnel Services Delivery Guide, the PLEAD shown on the initial DD Form 4-1 is used as the PLEAD on the DD Form 214, *Certificate of Release or Discharge from Active Duty*.

AIR FORCE EVALUATION

AFPC/DP2LT recommends denying the applicant's request to change his PLEAD. The authority governing the place of entry into active duty represented in the DD 214, Block 7a (previously Block 6) is contained in Total Force Personnel Service Delivery Guide - DD Form 214, *Certificate of Release or Discharge from Active Duty*, Section E (Attachment 1). The rule states "The place of acceptance in current enlistment, commission, or appointment of an active Service member, or for an ARC member, when enlisted, commissioned, or appointed for immediate active duty (address on their active duty orders). The place of entry changes only if there is a break in service exceeding one full day, in which case it is the place of entry into the new period of service. The records provided in the case did not have a DD Form 1966, *Record of Military Processing - Armed Forces of the United States*, DD Form 4, *Enlistment/Reenlistment Document - Armed Forces of the United States*, or any other form that showed his place of entry onto active duty was XXXXXX.

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 15 Dec 21 for comment (Exhibit D), and the applicant replied on 4 Jan 22. In his response he contended he requested copies of his documents from his Military Human Resource Record twice, to include his DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, which would list his PLEAD. He was administered the *Confirmation of Enlistment or Reenlistment* into the Armed Forces at XXXXXX Air Force Base, XXXXXX on 19 Jun 75 and started basic training immediately afterwards. His two subsequent enlistments were concurrent with no break in service.

FINDINGS AND CONCLUSION

1. The application was not timely filed; however, the Board finds it in the interest of justice to excuse the delay.

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. While the Board notes the recommendation of AFPC/DP2LT against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. In this respect the Board notes the applicant's Place of Entry into Active Duty was XXXXXX based on both the initial report of medical examination and initial report of medical history documentation in the Military Human Resource Record. Furthermore, his DD Form 214 for the period 12 Jan 82 to 11 Jan 88 reflects his PLEAD as XXXXXX, which is where he was stationed when he reenlisted. Accordingly, based on the forgoing and given the applicant did not have a break in service, 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 APPLICANT be corrected to show that his DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 11 Jan 88, Item 7a, *Place of Entry into Active Duty*, reflects XXXXXX, XXXXXX rather than XXXXXX, XXXXXX.

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-2021-02436 in Executive Session on 18 Aug 22:

- , Panel Chair
- , Panel Member
- , Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Feb 21.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Advisory, AFPC/DP2LT, w/atchs, dated 15 Dec 21.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 16 Dec 21.

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.

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Board Operations Manager, AFBCMR