

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-02693

XXXXX XXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 27, *Reentry* (RE) code, dated 27 Dec 17 be changed to reflect RE-1 versus N/A.

APPLICANT'S CONTENTIONS

He completed his military service obligation and received an honorable discharge; however, his RE code erroneously reflects "N/A" (Not Applicable).

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 14 Jul 10, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted in the AFR.

According to DD Form 214, dated 20 May 16, the applicant served a period of active duty in the AFR from 23 Jan 16 to 20 May 16 for a period of 3 months and 28 days. His narrative reason for separation reflects "Completion of Required Service" and his reentry code reflects "N/A."

On 12 Oct 16, according to Reserve Order Work-Pro..., dated 28 Nov 16, the applicant was honorably discharged from the AFR. His reenlistment eligibility status reflects "Eligible to Reenlist-Elected Separation or Discharge."

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

APPLICABLE AUTHORITY/GUIDANCE

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; DD Form 214 Total Force Personnel Services Delivery Guide (PSDG). The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service.

Air Reserve Component (ARC) members on continuous active duty for 90 calendar days or more will be issued a DD Form 214. A DD Form 214 may also be issued to ARC members for completion of less than 90 continuous calendar days of active duty for the following reasons: (1) completion of an initial active duty for training (IADT) regardless of length of time; (2) ordered

or called to active duty for support of DoD named Contingency Operation for 30 days or more; (3) or separating for cause (for ARC Airman).

AIR FORCE EVALUATION

ARPC/DPTS recommends denying the application. After a careful review of the applicant's record, the requested change cannot be made. In accordance with the DD Form 214 PSDG, Section E, a RE code is only entered when the member separates from service. The DD Form 214 in question was for a period of active duty and will not have a RE code listed.

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 2 Mar 22 for comment (Exhibit D), but has received no response.

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 applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPTS and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and recommends against correcting the applicant's records.

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-2021-02693 in Executive Session on 6 Apr 22.

, Chair, AFBCMR
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, dated 10 Jul 21.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, ARPC/DPTS, w/atchs, dated 2 Feb 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 2 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.

X

Work-Product

Board Operations Manager, AFBCMR