



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2022-01280

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be given a NGB Form 22, *Report of Separation and Military Service*, and/or a NGB Form 23A, *Army National Guard Current Annual Statement*, with points accumulation for his service.

APPLICANT'S CONTENTIONS

He is unable to find his service records which include his earned points for service. He needs his forms and points accumulation to qualify for Department of Veterans Affairs (DVA) loans and other benefits.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force sergeant (E-4) who entered the Air National Guard (ANG) on 29 Jul 87 and transferred to the Army National Guard (ARNG) on 8 Feb 93.

On 13 May 88, according to his DD Form 214, *Certificate of Release or Discharge From Active Duty*, he was released from active duty after completing initial active duty training. He was credited with 4 months and 19 days of active service.

On 8 Feb 93, according to his NGB Form 22, he transferred from the **Work-Product** ANG to the **Work-Product** ARNG. He was credited with five years, six months, and nine days of total service for pay.

On 7 Feb 96, according to the NGB Form 22, provided by the applicant, he was discharged from the **Work-Product** ARNG. He was credited with 8 years, 10 months, and 8 days of total service for pay.

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

AFBCMR Docket Number BC-2022-01280

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Controlled by: SAF/MRB
CUI Categories: **Work-Product**
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

AIR FORCE EVALUATION

HQ ARPC/DPTT recommends denying the applicant's request to correct his service points accumulation finding no evidence of an error or injustice. After a review of the applicant's military service record, it was determined the applicant's NGB Form 22, dated 8 Feb 93, from the **Work-Product** ANG accurately reflects his correct points for his time served in the **Work-Product** ANG. His NGB Form 22, dated 7 Feb 96, indicates he enlisted with the **Work-Product** ARNG on 9 Feb 93 (sic), the day after separating from the ANG. As a result, there is no break in the applicant's service and no missing time between his two NGB Forms 22. The applicant's NGB Forms 22 reflect his correct service points according to documentation from his military service records and provided documentation from the applicant. The date of 28 Jul 95, as referenced on his application, was his original mandatory separation obligation date which was fulfilled as a result of his service with the ARNG.

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 1 Nov 23 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/DPTT and finds a preponderance of the evidence does not substantiate the applicant's contentions. Specifically, the Board finds the applicant's NGB Forms 22 reflect his correct service credit according to documentation from his military service records and the documentation provided by the applicant. Additionally, his DD Form 214 correctly shows his time on active duty, 4 months and 19 days, for completion of initial active-duty training (IADT). No other period of active duty was identified within the applicant's records. Therefore, the Board recommends against correcting the applicant's records. 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 Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.

RECOMMENDATION

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The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-01280 in Executive Session on 6 Mar 24:

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Panel Chair

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Panel Member

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Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 26 Apr 22.

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

Exhibit C: Advisory Opinion, ARPC/DPTT, w/atchs, dated 4 Oct 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 1 Nov 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

10/1/2024

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Board Operations Manager, AFBCMR
Signed by: USAF

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