

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01413

XXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 12b. *Separation Date This Period*, to reflect "1989" vice "1988."

APPLICANT'S CONTENTIONS

His DD Form 256 AF, *Honorable Discharge Certificate*, shows the proper date of separation (DOS) as 1989, not 1988. The proper date is needed for various government applications.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force sergeant (E-4).

On 29 Apr 88, according to the DD Form 214, provided by the applicant, he was honorably discharged from the Regular Air Force, and credited with 4 years, 3 months, and 10 days active service.

According to the Automated Records Management System (ARMS) ARPC Shipping Document List, dated 12 Aug 97, a DD Form 214, with Document Date of 880429 was prepared for shipment to the National Personnel Records Center (NPRC).

According to ARMS ARPC Shipping Document List, dated 12 Aug 97, a Separation Order Number XXXXX, with Document Date of 880429 was prepared for shipment to NPRC.

According to ARMS ARPC Shipping Document List, dated 12 Aug 97, an AFRANGUS document, with Document Date of 880714 was prepared for shipment to NPRC.

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

AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the application. Based on review of the applicant's request and the master personnel records, there is no error or injustice with the applicant's date of separation from active duty.

The applicant's records revealed a document from the State of XXXXX National Guard awarding him the State of XXXXX Long and Honorable Service Medal for the period of Jul 88 – Jul 93. Additionally, the shipping document in the record also lists a separation order, dated 29 Apr 88, and an AFRANGUS order, dated 17 Jul 88, further confirming the applicant was in the Air National Guard in 1989. Based on this information, it appears the applicant's DOS from

active duty is correct on “Copy 1” of the DD Form 214, provided by the applicant. The DD Form 256 AF, also provided by the applicant, is not considered a valid source document for the Air Force records.

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 11 Aug 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 AFPC/DP2SSR 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 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 the 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-2022-01413 in Executive Session on 30 Nov 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 21 Apr 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 11 Aug 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 11 Aug 22.

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.

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Board Operations Manager, AFBCMR