

### UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

#### RECORD OF PROCEEDINGS

IN THE MATTER OF: DOCKET NUMBER: BC-2022-01465

COUNSEL: NONE

**HEARING REQUESTED: NO** 

### APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 14 Apr 09, be corrected to reflect her deployed location and whether or not she was in a combat zone and/or received hostile or imminent danger pay.

### APPLICANT'S CONTENTIONS

Work-Product

Her DD Form 214 reflects all of her medals, (e.g., Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, etc), but it does not show the deployed location, if she was in a combat zone, or if she was receiving hostile or imminent danger pay. As a former Veterans Service Officer, she knows that it is pertinent to have this information on the DD Form 214 as it determines eligibility for various services and benefits. She appreciates that her DD Form 214 was corrected to accurately reflect her foreign service time; however, if she is not able to prove she was deployed or receiving a certain type of pay (for example: imminent danger, hostile fire, etc), or whether the deployed location was considered in a combat zone, then she becomes ineligible for certain benefits and/or services.

The applicant's complete submission is at Exhibit A.

## STATEMENT OF FACTS

The applicant is a former Air Force technical sergeant (E-6).

On 14 Apr 09, according to DD Form 214, dated 14 Apr 09, she was honorably discharged. Item 12, *Record of Service*, (c) *Net Active Service This Period*, reflects: 11 years, 8 months, and 21 days of active service and (f) *Foreign Service*, reflects: 2 years, 0 months, and 0 days.

On 23 Jun 22, according to AFPC/DP3AM letter to the applicant, dated 23 Jun 22, she was informed that they were able to verify and confirm "boots on the ground" foreign service time in the United Arab Emirates from 7 Mar 02 to 29 May 02, for a total of 2 months and 23 days and that they requested her DD Form 214 be corrected and sent to her. She was also informed that as specific locations are not annotated on a member's DD Form 214 and to use the letter as proof of "boots on the ground" for the United Arab Emirates.

On 23 Jun 22, according to DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty, Item 12 (f) was changed from: 02 00 00 to reflect: 02 02 23.

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

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Work-Product

Controlled by: SAF/MRB

Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

#### 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. The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service.

AFI 36-3202, 1.1.1. The DD Form 214/5 is the document that separates an Airman from the REGAF (10 USC § 1168, *Discharge or Release from Active Duty: limitations*) or Air Reserve Component Airmen from active duty. It provides an accurate and complete summation of active duty service at the time of transfer, release, discharge, or change of component or status while on active duty.

### AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the request. In accordance with Air Force Instruction (AFI 36-3202, Separation Documents, dated 22 Nov 05 (incorporating Ch 1, 30 Sep 09), Table 4, How to Prepare DD Form 214, and DD FM 214 Personnel Services Delivery (PSD) Guide, combat zones, hazard zones, financial information, assignments, deployments, and temporary duty (TDY) assignments are not included on the DD Form 214. The DD Form 214 was designed to be a brief snapshot of a service member's military career. Service members are provided with ample documentation for their personal files form respective agencies as verification of certain aspects of their military careers. The applicant can receive a "Boots on the Ground" memorandum from Assignment Policy or Personal Readiness regarding deployments/combat zone information, and can request a Leave or Earning Statement or a memorandum from the Defense Finance and Accounting Service (DFAS) regarding imminent danger pay.

Based on a review of the applicant's submission there is no evidence of an error or injustice with the DD Form 214 preparation.

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

#### FINDINGS AND CONCLUSION

- 1. The application was not timely filed. The Board 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 it in the interest of justice to waive the three-year filing requirement.
- 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. Therefore, the Board 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-01465 in Executive Session on 30 May 23:



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

Exhibit A: Application, DD Form 149, w/atchs, dated 20 Apr 22.

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

Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 19 Sep 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 11 Oct 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.

