

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02058

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: Work...

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended to reflect the following changes:

- a. Block 7a - Place of Entry into Active Duty (PLEAD), be changed from [State] to [State].
- b. Block 7b - Home of Record (HOR) be changed from [State] to [State].

APPLICANT'S CONTENTIONS

He established his HOR and primary residence in [State] prior to entering active duty service with the intention of remaining in [State] beyond his military career. He has retired and continues to live in [State] as his home. Amending his DD Form 214 would allow him to take advantage of certain veterans benefits he is currently not eligible for.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force lieutenant colonel (O-5).

On 3 Aug 98, according to DD Form 214, the applicant was released from the Navy Reserve. His PLEAD is listed as [State] and his HOR is listed as [State]. He was credited with 2 months and 12 days of active service.

According to ARPC Form 0-178, *Service Date Computation Worksheet (DOPMA)*, dated 30 Mar 01, the applicant was given credit for 2 years, 9 months and 28 days of total prior service credit. His inclusive dates were 22 May 98 to 19 Mar 01.

On 20 Mar 01, according to ARPC Form 92, *Appointment Order*, Dated 5 Apr 01, the applicant was appointed as a second lieutenant (O-2) in the Air Force Reserve.

On 19 Apr 02, according to AF Form 778, *Reserve Appointment Order*, dated 29 May 02, the applicant was appointed as a captain (O-3) in the Air Force Reserve.

On 8 Jun 02, according to AF Form 766, *Extended Active Duty Order*, dated 17 Jan 02, the applicant was ordered to extended active duty. His HOR is listed as [State].

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On 31 Mar 22, according to DD Form 214, the applicant was released from active duty. His PLEAD is listed as [State] and his HOR is listed as [State]. He was credited with 19 years, 9 months, and 23 days of active service. He was also credited with 7 years, 8 months, and 25 days of inactive service.

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

APPLICABLE AUTHORITY

The Joint Travel Regulations (JTR), Appendix A, defines the HOR as the place recorded as the individual's home when appointed, commissioned, enlisted, inducted, or ordered into a tour of active duty. The JTR further states that a member may only change the HOR if a break in service exceeds one full day. 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 home, the correction must be fully justified and the home, as corrected, must be the member's actual home upon entering the service, and not a different place selected for the member's convenience.

According to the DD Form 214 Personnel Services Delivery Guide, the HOR on the application for appointment (AF Form 24, *Application for Appointment as Reserve of the Air Force or USAF without Component*) is used as the HOR on the DD Form 214 for active duty officers. As a secondary source, the HOR listed on the EAD order for the starting period of service recorded on the DD Form 214, block 12a (Date Entered Active Duty this Period), may be used.

State Residency:

According to the Air Force Personnel Center myPers website, state residency is the home for the purposes of taxes as a member moves throughout their military career. While the state residence may be updated at any time by completing a DD Form 2058, *State of Legal Residence Certificate*, at the Military Personnel Flight (MPF), the HOR remains unchanged unless there is a break in service of at least one day.

AIR FORCE EVALUATION

AFPC/DPMNA recommends denying the application. On 3 Aug 98, the applicant signed his DD Form 214 acknowledging his PLEAD as [State] and HOR as [State]. The applicant's military service was continuous from 22 May 98 until 31 March 22, with no break in service. The applicant served in the Navy from 22 May 98 to 3 Aug 98. He participated in the Navy Health Professions Scholarship Program (HPSP) at Tulane University Health Sciences Center in [State] from 4 Aug 98 to 19 Mar 01. On 20 Mar 01, he completed an Interservice Transfer from the Navy to the Air Force to participate in the Air Force HPSP until 19 Apr 02. The applicant transferring from the Navy to the Air Force is considered continuous service with no break in service. On 8 Jun 02, his PLEAD was [State] and HOR was [State] on his AF Form 766. An amendment was not processed to amend the two addresses on the AF Form 766. The applicant's first duty station was [AFB] as shown in block 12 of his AF Form 766. The applicant may record his legal residency as [State], however [State] is not the applicant's HOR or PLEAD.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

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The Board sent a copy of the advisory opinion to the applicant on 7 Nov 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 Department of the 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.
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/DPMNA and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant's HOR was recorded as [State] when he initially entered the military and his PLEAD was recorded as [State] as the address he departed from after completion of HPSP. The applicant did not have a break in service of more than one full day therefore, his HOR remains recorded as [State]. The Board finds no evidence of an injustice or error in the applicant's discharge to warrant granting relief. 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 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-2022-02058 in Executive Session on 12 Jun 23:

Work-Product, Panel Chair
Work-Product, Panel Member
Work-Product, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 27 Jul 22.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Advisory, AFPC/DPMNA, w/atchs, dated 5 Nov 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 7 Nov 22.

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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.

8/28/2025

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Associate Director, AFBCMR

Signed by: USAF

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