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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02132

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His separation date on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed to 8 Aug 01.

APPLICANT'S CONTENTIONS

His 9 Aug 01 separation date from the Air Force Reserve (AFR) overlaps with his 9 Aug 01 commission date as a U.S. Public Health Service Commissioned Officer. The Department of Veterans Affairs (DVA) Human Resource Office says his service cannot overlap, so he is requesting his AFR separation date be changed to 8 Aug 01.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force Reserve captain (O-3).

On 13 Feb 97, according to AF Form 133, *Oath of Office (Military Personnel)*, the applicant was appointed as a second lieutenant in the AFR Medical Service Corps.

On 9 Aug 01, according to the DD Form 214 the applicant honorably resigned his commission with a Narrative Reason for Separation of "Interdepartmental Transfer."

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

AIR FORCE EVALUATION

ARPC/DPTS recommends denying the application. After careful review of the applicant's record, there is no evidence supporting the change of separation date. If the applicant provides a copy of his orders or a separation document indicating 8 Aug 01, he can submit it for reconsideration.

The complete advisory opinion is at Exhibit C.

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APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 28 Sep 23 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)*. 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 ARPC/DPTS and finds a preponderance of the evidence does not substantiate the applicant’s contentions. Specifically, the Board finds no evidence to suggest the applicant’s separation date from the AFR was in error or should be corrected due to an injustice. 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-2022-02132 in Executive Session on 18 May 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 23 Jun 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

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Exhibit C: Advisory Opinion, AFPC/DPTS, dated 12 Sep 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 Sep 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.

8/27/2025

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Signed by: USAF

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