



CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02153

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 19 Feb 98, Block 24, *Character of Service*, be changed from "Uncharacterized" to "Honorable."

APPLICANT'S CONTENTIONS

She is currently a Federal civil service employee and wants her military time credited towards her civilian service eligibility and annuity. If her Officer Training School (OTS) service is not characterized as honorable, she cannot buyback "any" of her military time as a civilian employee because they consider her OTS time and her commissioned service time as continuous. It is clearly unjust for her to not be able to buyback any service because her OTS service was improperly characterized. She would not have been commissioned if her service was not honorable. Further, she states DAFI 36-3211, *Military Separations*, (successor publication to AFI 36-3208), Paragraph 3.17 is not applicable, as it just refers to the "Period Considered in Characterizing Service." Paragraph 4.11 is referring to paragraph 3.16, "Separation without Service Characterization." If so, paragraphs 3.16.1.3 and 3.16.1.3.1 state an honorable characterization should be used if the reason for separation is a "change in military status in accordance with Section 4A." Her discharge was for a change in military status in section 4A, specifically Section 4.11, "Completion of Officer Training." Therefore, her service while in OTS should properly be characterized on her DD Form 214 as "honorable."

In support of her request, the applicant provides a copy of her DD Form 214 from OTS and her DD Form 214 as a commissioned officer in the Air Force. In addition, she provides the myPers conversation with the Air Force Personnel Center's Benefits & Entitlements Service Team.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 19 Feb 98, the applicant received an entry-level separation (ELS) with a character of service of "Uncharacterized" after serving 3 months and 29 days on active duty. Her narrative reason for separation was "Commissioned or Warrant in same Branch of Service."

On 20 Feb 18, the applicant entered the Air Force as a commissioned officer and on 20 Sep 01, she was honorably discharged with a narrative reason for separation of "Intradepartmental Transfer." She was credited with three years, seven months, and one day of active service.

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Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

On 21 Oct 07, according to Reserve Order Work-Product dated 26 Oct 07, the applicant was assigned to the Inactive Status List Reserve Section (ISLRS).

On 11 May 11, according to Reserve Order Work-Product dated 24 May 11, the applicant was relieved from assignment in the ISLRS and honorably discharged from the Air Force Reserve.

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

APPLICABLE AUTHORITY/GUIDANCE

Department of the Air Force Instruction (DAFI) 36-3211, *Military Separations*

4.9. Determining Eligibility. Eligibility for separation under this section is based on a change, or a proposed change, in a member's obligation to serve the full term of an enlistment contract.

4.9.1. A member may be separated for the following reasons:

4.9.1.3. Acceptance of a regular component or ARC commission or appointment, or acceptance into a program leading to such commission or appointment in any branch of the Military Services.

4.10. Type of Separation. Characterize the service of members separated for a reason in paragraph 4.11 through paragraph 4.18 as honorable unless an entry level separation is needed in accordance with paragraph 3.17.

4.11. Completion of Officer Training. Discharge graduates of officer training contingent on their acceptance of appointment as commissioned officers. Make the discharge effective the day before they take the oath of office as AF or SF officers. Do not deliver the discharge documents until after the oath of office has been executed. See Table 4.1 for an itemized list of reasons and authority for required separations. For more information about these separations, see AFMAN 36-2032.

Department of Defense Instruction (DoDI) 1332.14, *Enlisted Administrative Separations*

Enclosure 3 - Reasons for Separation

Section 2 - Selected Changes in Service Obligation

a. Basis. An enlisted Service member may be separated for the following reasons:

(3) Acceptance of an active-duty commission or appointment, or acceptance into a program leading to such commission or appointment in any branch of Military Services.

b. Characterization or Description. Honorable, unless the separation is under one of the following circumstances:

(1) An entry-level separation is required in accordance with Section 3 of Enclosure 4.

Enclosure 4 – Guidelines on Separation and Characterization

Section 3 - Characterization of Service or Description of Separation

c. Uncharacterized Separation.

(1) Entry-Level Separation

(a) A separation will be described as an entry-level separation if separation processing is initiated while an enlisted Service member is in entry-level status, except when:

2. The Secretary concerned, on a case-by-case basis, determines characterization of service as honorable is clearly warranted by the presence of unusual military duty. The characterization is authorized when the Service member is separated under Enclosure 3 by reason of selected changes in service obligation (see Section 2 of Enclosure 3).

The guidance can be found at Exhibit B.

AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the application. Airmen are in entry-level status during the first 180 days of continuous active military service. The Department of Defense (DoD) determined if a member served less than 180 days continuous active service, it would be unfair to the member and the service to characterize their limited service. Based on review of the applicant's request, there is no error or injustice with the discharge processing.

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 19 Aug 22 for comment (Exhibit D), and the applicant replied on 14 Sep 22. In her response, the applicant contended she needs her service characterization changed so she can buy back her military service because the Office of Personnel Management (OPM) does not recognize the time spent in OTS as honorable, even though she was commissioned at the end of that time.

The applicant's complete response is at Exhibit E.

REVISED AIR FORCE EVALUATION

AFPC/DP2SSR recommends granting the application. Individuals attending OTS are there in an active-duty status and therefore fall under active-duty personnel policy. AFPC has reviewed the current DAFI 36-3211 and former enlisted separations AFI 36-3208, *Administrative Separation of Airmen*, and they both offer flexibility to give OTS graduates an honorable service characterization even though they are in entry-level status.

The complete advisory opinion is at Exhibit F.

APPLICANT'S REVIEW OF REVISED AIR FORCE EVALUATION

The Board sent a copy of the revised advisory opinion to the applicant on 3 May 23 for comment (Exhibit G) and the applicant replied on 3 May 23. In her response, the applicant stated she did not have any additional information to provide.

The applicant's complete response is at Exhibit H.

FINDINGS AND CONCLUSION

1. The application was 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 the victim of an error or injustice. While the Board notes the conflicting advisory opinions prepared in this case; however, after thoroughly reviewing this application, the Board concurs with the rationale and recommendation of AFPC/DP2SSR advisory opinion, dated 3 May 23 and finds a preponderance of the evidence substantiates the applicant's contentions. Specifically, the Board notes service members attending OTS are there in an active duty status and therefore, fall under the active duty personnel policy. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show on 19 Feb 98, she was honorably discharged and furnished an Honorable Discharge certificate.

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-2022-02153 in Executive Session on 24 May 23:

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

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 8 Aug 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DP2SSR, dated 23 May 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 19 Aug 22.
- Exhibit E: Applicant's Response, dated 14 Sep 22.
- Exhibit F: Advisory opinion, AFPC/DP2SSR, dated 3 May 23.
- Exhibit G: Notification of advisory, SAF/MRBC to applicant, dated 3 May 23.
- Exhibit H: Applicant's Response, dated 3 May 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.

1/3/2024

Work-Product

Board Operations Manager, AFBCMR

Signed by: *Work-Product*