



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02321

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 23 Apr 98, Block 24, *Character of Service*, be changed from "Uncharacterized" to "Honorable."

APPLICANT'S CONTENTIONS

His service was honorable as indicated on Special Order **Work-Product** and his Statement of Service. To support his claim, the applicant submitted these documents which indicates his separation as honorable, effective 14 Jan 00 for accepting a commission.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a medically retired Air Force captain (O-3).

On 13 Jan 00, the applicant received an entry level separation (ELS) with a character of service of "Uncharacterized" after serving 4 months and 16 days on active duty. His narrative reason for separation was "Commissioned or Warrant in same Branch of Service."

On 14 Jan 00, Special Order **Work-Product** indicates the applicant was relieved from assignment from Officer Training School (OTS) and honorably discharged.

Dated 27 Jan 00, AF Form 1613, *Statement of Service*, indicates the applicant's active duty service for the period of 25 Aug 99 to 13 Jan 00 was honorable due to accepting a commission.

On 29 Jun 09, the applicant was honorably discharged with a narrative reason for separation of "Disability Permanent" and was credited with 9 years, 5 months, and 16 days of active service.

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

AFBCMR Docket Number BC-2022-02321

Work-Product

Controlled by: SAF/MRB
CUI Categories: **Work-Product**
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

APPLICABLE AUTHORITY/GUIDANCE

DoDI 1332.14, *Enlisted Administrative Separations*, incorporating changes through 23 Jun 22 reads as follows:

Enclosure 3, section 2 – *Selected Changes in Service Obligation*

Paragraph a(3) states an enlisted Service member may be separated due to an acceptance of an active duty commission or appointment, or acceptance into a program leading to such commission or appointment in any branch of Military Service.

Paragraph b(1) states the characterization or description is honorable, unless the separation is an entry-level separation and is required in accordance with section 3 of Enclosure 4.

Enclosure 4, section 3 – *Characterization of Service or Description of Separation*

Paragraph c(1)(a)2 states an uncharacterized separation will be described as an entry-level if separation is initiated while an enlisted Service member is in entry-level status, except when the Secretary concerned, on a case-by-case basis, determined that 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.

AFI 36-3208, *Administrative Separation of Airmen*, dated 14 Oct 94, describes the authorized service characterizations that were applicable at the time of the applicant's separation.

Entry Level Separation. Airmen are in entry level status during the first 180 days of continuous active military service or the first 180 days of continuous active military service after a break of more than 92 days of active service. Determine the member's status by the date of notification; thus, if the member is in entry level status when initiating the separation action, describe it as an entry level separation unless:

- A service characterization of under other than honorable conditions is authorized under the reason for discharge and is warranted by the circumstances of the case; or
- The Secretary of the Air Force determines, on a case-by-case basis, that characterization as honorable is clearly warranted by unusual circumstances of personal conduct and performance of military duty.

Honorable. The quality of the airman's service generally has met Air Force standards of acceptable conduct and performance of duty or when a member's service is otherwise so meritorious that any other characterization would be inappropriate.

Section 2B-Changes in Service Obligation:

Per paragraph 2.9, 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. Such a change may involve appointment to officer status, a new term of enlistment, separation from the active force to serve with one of the Reserve forces, or a defect in the enlistment. On receipt of evidence that a member is qualified for separation for one of the reasons in this section, the separation authority concurs in the action and establishes a DOS consistent with the reason for the separation.

Per paragraph 2.10, *Type of Separation*, characterize the service of airmen separated for a reason in paragraphs 2.11 through 2.18 as honorable unless an entry-level separation is required according to paragraph 1.19, separation from a void enlistment under paragraph 2.19 will be by order of release from custody and control of the Air Force.

Per paragraph 2.11, *Completion of Officer Training*, discharge graduates of officer training contingent on their acceptance of appointment as commissioned officers.

AIR FORCE EVALUATION

AFPC/DP2SSR recommends denying the application. Based on review of the applicant's request, there is no error or injustice with the discharge processing. 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. To grant relief would be contrary to the criteria established by DoD guidance.

In addition, Special Order **Work-Product** dated 14 Jan 00, is an Extended Active Duty (EAD) order that is not prepared by the Separations Office. It indicates the commissioned graduates for a particular class and movement to their next duty stations. If an explanation is necessary as to why they used the specific verbiage honorably discharged, contacting either the Officer Training School (OTS) at **Work-Product** AFB, AL or AFPC Officer Accessions to review and explain. Furthermore, the AF FM 1613, *Statement of Service*, is a document that is not prepared by the Separations Office and has multiple uses, none of which is specifically tied to the separation characterization that is indicated by the Separations Office at the time of discharge. The Service Dates Office would need to review and provide a reason for the verbiage on their form.

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

FINDINGS AND CONCLUSION

1. The application was not timely filed but it is in the interest of justice to excuse the delay.

- 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 initial recommendation of AFPC/DP2SSR against correcting the record, as of 8 Mar 23, AFPC/DP2SSR has now reversed their decision on denying these cases stating “for many years, OTS operated under their own internal policy with regards to characterizing the service of their graduates. Discussions with them have indicated their policy has shifted from time to time through the years, with some periods in the 1970s being characterized and some periods in the 1980s and 1990s listed as uncharacterized. 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 separation AFIs, and both offer flexibility to give OTS graduates an honorable service characterization even though they are in entry level status.” Furthermore, the Board notes service members attending OTS have no break in service between their enlisted time at OTS and their commission date on active duty; therefore, their time spent at OTS qualifies as a change in service obligation and is characterized as honorable service per AFI 36-3208. 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 APPLICANT be corrected to show on 13 January 2000, he was discharged with service characterized as honorable.

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-2022-02321 in Executive Session on 30 Oct 24:

- 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 29 Aug 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 8 Sep 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 8 Sep 22.

Work-Product

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.

11/6/2024

Work-Product

Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2022-02321

Work-Product