



Work-Product

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02455

Work-Product

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT’S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 28 Feb 84, Block 24, *Character of Service*, be changed from “Not Applicable” to “Honorable.”

APPLICANT’S CONTENTIONS

He graduated from Officer Training School (OTS) and subsequently served 11 years (29 Feb 84 to 14 Dec 93) as an Air Force Officer and was honorably discharged. However, to receive credit towards civilian retirement for his time in OTS, the DD Form 214 for that period has to reflect “Honorable.”

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 28 Feb 84, according to the DD Form 214 provided by the applicant, he received an entry level separation (ELS) with a character of service of “Not Applicable” after serving 3 months and 8 days on active duty. His narrative reason for separation was “To Accept Commission in the AF from Officer Training Program.”

On 14 Dec 94, according to the DD Form 214 provided by the applicant, he was honorably discharged with a narrative reason for separation of “Resign: Early Release Program – Voluntary Separation Incentive.” He was credited with 10 years, 9 months, and 16 days of active service for the period.

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 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 (see Section 2 of Enclosure 3).

A copy of the applicable authority/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 23 Feb 23 for comment (Exhibit D), and the applicant replied on 19 Mar 23. In his response, the applicant contended he served honorably during OTS as evidenced by how it launched him into a long Air Force career that he is proud of and very thankful for. The 90-plus days of OTS service equates to an additional \$28.00 per month of retirement pay that he is currently not receiving.

The applicant's complete response is at Exhibit E.

REVISED AIR FORCE EVALUATION

AFPC/DP2SSR recommends granting the application. Individuals attending OTS are 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. As a result, and in consultation with our AFPC Legal representatives (AFPC/JA), AFPC recommends approval of the change of characterization to "honorable" for anyone submitting a BCMR application who is a graduate from OTS who was given characterization of "uncharacterized" or "N/A" and who is requesting a favorable service characterization.

The complete revised 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 29 Jun 23 for comment (Exhibit G) and the applicant has not responded.

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. The Board concurs with the revised AFPC/DP2SSR rationale and recommendation and finds a preponderance of the evidence substantiates the applicant's contentions. Specifically, 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. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 28 February 1984, 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-2022-02455 in Executive Session on 5 Dec 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 30 Aug 22.
- Exhibit B: Applicable Guidance.
- Exhibit C: Advisory opinion, AFPC/DPMSSR, dated 22 Feb 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 23 Feb 23.
- Exhibit E: Applicant’s response, dated 20 Mar 23.
- Exhibit F: Advisory opinion, AFPC/DPMSSR, dated 28 Jun 23.
- Exhibit G: Notification of advisory, SAF/MRBC to applicant, dated 29 Jun 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.

10/3/2024

Work-Product

Board Operations Manager, AFBCMR
Signed by: Work-Product