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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

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RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00049

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COUNSEL: Work-Product

HEARING REQUESTED: Work...

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APPLICANT'S REQUEST

To have his DD Form 214, *Certificate of Release or Discharge from Active Duty*, updated to reflect 2 Aug 90 in section 12a instead of 20 Dec 90. **(Inactive service date will be administratively corrected).**

APPLICANT'S CONTENTIONS

He has applied for a Department of Veteran's Affairs (VA) home loan and section 12a on his DD Form 214 should read 2 Aug 90, his actual entry date.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman (E-2).

On 20 Dec 90, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant entered the Regular Air Force.

On 15 Sep 92, according to DD Form 214, the applicant was discharged from active duty. He was credited with 1 year 8 months and 20 days of active service and 0 months of inactive service.

For more information, see the attachments of the applicant's submission at Exhibit A and the advisory at Exhibit B.

AIR FORCE EVALUATION

AFPC/DP2MLT recommends denying the application. According to the DD Form 4, the applicant enlisted in the US Air Force Reserve (USAFR) Delayed Entry/Enlistment Program (DEP) on 14 Aug 90. As stated on the DD Form 4, item 8a, enlistment in the DEP is in a nonpay status (inactive Reserves), and it is not creditable for pay upon entry into a pay status (active duty). An individual remains in DEP until they enlist into the Air Force. On the DD Form 214, Block 12a, *Date Entered Active Duty This Period* reflects the date that an individual entered active duty on a continuous basis. A source document to confirm the 20 Dec 90 date of entry was not available for this case.

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Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. Block 12a is the date an individual enters active duty. DEP is in a nonpay status and is not active duty.

The complete advisory opinion is at Exhibit B.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 21 Mar 23 for comment (Exhibit C) 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 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/DP2MLT and finds a preponderance of the evidence does not substantiate the applicant's contentions. Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. 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-2023-00049 in Executive Session on 12 Sep 21:

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 30 Nov 22.
- Exhibit B: Advisory Opinion, AFPC/DP2MLT, dated 20 Mar 23.
- Exhibit C: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Mar 23.

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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.

8/30/2025

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Associate Director, AFBCMR

Signed by: USAF

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