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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00334

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

The Date Entered Active Duty on his DD Form 214, *Report of Separation from Active Duty*, be corrected.

APPLICANT'S CONTENTIONS

He seeks to address the Date Entered Active Duty stated on his DD Form 214, the discrepancy between the 10.5 months of service acknowledged by the United States Postal Service (USPS) and the 12.5 months indicated on the Defense Finance Accounting Services (DFAS) "Estimated Earning During Military Service" statement.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force second lieutenant (O-1).

On 18 Apr 78, according to DD Form 220, *Active Duty Report*, dated 26 Apr 78, the applicant entered the Regular Air Force.

According to DD Form 13, *Statement of Service*, the applicant's Date Entered Active Duty is 18 Apr 78.

On 1 Mar 79, the applicant was issued a DD Form 214, for the period 18 Apr 78 to 1 Mar 79. For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

APPLICABLE AUTHORITY/GUIDANCE

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; DD Form 214 Total Force Personnel Services Delivery Guide. The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service.

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AIR FORCE EVALUATION

AFPC/DPMLT (Service Dates) recommends denying the application. The applicant has indicated a discrepancy with the entry date of his active duty as stated on his DD Form 214 and the DFAS “Estimated Earning During Military Service” statement. According to the Extended Active Duty Order, DD Form 220, used in lieu of the DD Form 1351-2, *Travel Voucher* and the DD Form 13, the applicant entered active duty on 18 Apr 78. Block 15, Date Entered Active Duty this Period, on his DD Form 214, reflects the correct date of 18 Apr 78.

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 3 Jan 24 for comment (Exhibit D) but has received no response.

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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMLT and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board also 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 the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement. Therefore, the Board finds the application untimely and 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-2023-00334 in Executive Session on 9 Apr 24:

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Panel Chair

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Panel Member

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Panel Member

All members voted against correcting the record. The panel considered the following:

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Exhibit A: Application, DD Form 149, w/atchs, dated 27 Jan 23.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DPMLT, w/atchs, dated 14 Dec 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 3 Jan 24.

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.

4/25/2024

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