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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03195

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COUNSEL: NONE

HEARING REQUESTED: NOT INDICATED

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect the grade of airman first class (E-3) versus airman basic (E-1) and his record of service dates be audited.

APPLICANT'S CONTENTIONS

His DD Form 214 is not correct.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force Reserve airman first class (E-3).

On 24 Jan 13, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted in the Air Force Reserve as an airman basic (E-1).

According to DD Form 214, the applicant entered a period of active service for training and was honorably discharged on 2 Aug 13 in the grade of E-1.

On 9 Dec 13, according to Reserve Order **Work-Pro...**, the applicant was promoted to the grade of E-3.

On 1 Sep 15, according to Reserve Order **Work-Pro...**, dated 5 Aug 15, the applicant was honorably discharged from the Air Force Reserve in the grade of E-3.

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 Reserve Component (ARC) members on continuous active duty for 90 calendar days or more will be issued a DD Form 214. A DD Form 214 may also be issued to ARC members for completion of less than 90 continuous calendar days of active duty for the following reasons: (1) completion of an initial active duty for training (IADT) regardless of length of time; (2) ordered or called to active duty for support of DoD named Contingency Operation for 30 days or more; (3) or separating for cause (for ARC Airman).

AIR FORCE EVALUATION

ARPC/DPTS recommends denying the application. After review of the applicant's points and recalculation of prior active duty points, the information in block 12 a-g of his DD Form 214 is correct. Per DD Form 214 Personnel Services Delivery Guide (PSDG), Table 5 Block 4a, the applicant's rank is also correct as the applicant did not attain E-3 until after the separation date of his DD Form 214, per his Reserve airman grade history. Therefore, there is no error or injustice to the existing DD Form 214.

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 21 Feb 24 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not 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 ARPC/DPTS and finds a preponderance of the evidence does not substantiate the applicant's contentions. Review of the available record and evidence provided shows the information in block 12 a-g of his DD Form 214 is correct. Per DD Form 214 Personnel Services Delivery Guide (PSDG), Table 5 Block 4a, the applicant's rank is also correct as the applicant did not attain E-3 until after the separation date of his DD Form 214. 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)*. Therefore, the Board recommends against correcting the applicant's records. The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.

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-2023-03195 in Executive Session on 5 Jun 24:

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 29 Aug 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPTS, w/atchs, dated 7 Feb 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Feb 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.

7/22/2024

X

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Board Operations Manager, AFBCMR
Signed by: USAF