



Work-Product

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03384

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT’S REQUEST

The break in service between his active duty separation and entry into the Air Force Reserve be eliminated.

APPLICANT’S CONTENTIONS

Through no fault of his own, the delay in his scroll being approved resulted in a break in service. The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve major (O-4).

On 13 Aug 22, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant resigned from the Regular Air Force in the grade of (O-4). He was credited with 10 years, 2 months, and 16 days of active duty service.

On 15 Aug 22, according to Reserve Order Work-Product dated 13 Oct 22, the applicant was appointed as a Reserve of the Air Force.

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

APPLICABLE AUTHORITY

The Secretary of Defense General Counsel determined the appointment date is the date the Secretary of Defense approves the appointment or the date the oath was administered, whichever is later. Air Force policy does not permit backdating oaths. However, the Air Force General Counsel (SAF/GCM) determined the Board has the authority to adjust the date of separation for these officers to prevent a break in service.

AIR FORCE EVALUATION

ARPC/DPAR (Accessions Division) recommends granting the application. Based on the documentation provided and analysis of the facts, there is evidence of an error or injustice. Due to a delay in processing the scroll package at the Secretary of Defense level, the applicant incurred a break in service between his date of separation from active duty (13 Aug 22) and his appointment date into the Air Force Reserve (15 Aug 22). ARPC/DPAR recommends adjusting the applicant’s date of separation to 14 Aug 22, aligning with the start of his appointment into the Air Force Reserve. The complete advisory opinion is at Exhibit C.

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APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 8 Dec 23 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPAR and finds a preponderance of the evidence substantiates the applicant’s contentions. 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 he was not released from active duty effective 13 Aug 22, but on that date, he was continued on active duty until 14 Aug 22, on which date he tendered his resignation, was discharged from all Regular Air Force appointments, and released from active duty.

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-2023-03384 in Executive Session on 8 Feb 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 14 Oct 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPAR, dated 8 Nov 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 8 Dec 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.

5/16/2025

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Board Operations Manager, AFBCMR

Signed by: Work-Product