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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00152

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COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

His service dates be corrected and his pension recalculated, if applicable.

### APPLICANT'S CONTENTIONS

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Item 18, *Remarks*, states "Attended USAF Academy in cadet status 15 Aug 91 to 19 May 95," which is incorrect. He attended USAF Academy (USAFA) from 30 Jun 97 to 29 May 91. In addition, he attended the Uniformed Services University of the Health Sciences (USUHS) from 15 Aug 91 to 19 May 95 as a second lieutenant in the active Reserve. This time should be creditable upon retirement; however, his current DD Form 214 incorrectly states his USUHS second lieutenant dates as non-creditable USAFA cadet dates. Because of these errors in his record, he is uncertain if his current pension calculation is correct.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force colonel (O-6).

On 29 May 91, according to documentation provided by the applicant, the applicant graduated from USAFA with a Bachelor of Science degree.

On 20 May 95, according to documentation provided by the applicant, the applicant graduated from USHUS with a Doctor of Medicine degree.

On 31 Mar 15, according to DD Form 214, the applicant was released from active duty for the purpose of retirement. He was credited with 20 year and 27 days of active service and 7 years, 8 months, 5 days of prior inactive service.

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 1552 (10 U.S.C. § 1552). *Correction of military records: claims incident thereto*. The Secretary, acting through the Board, has broad powers to correct and remedy errors and injustices; however, such a correction may be made only if the correction is favorable to the person concerned.

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## AIR FORCE EVALUATION

AFPC/DPMLT (Service Dates) recommends partially granting the applicant's request. The applicant entered USAFA as a cadet on 30 Jun 87. Upon graduation, he commissioned as a Reserve Corps second lieutenant and was ordered to extended active duty on 29 May 91. Later, he commissioned as a Reserve Corps second lieutenant in the Medical Service Corps on 15 Aug 91 for the purpose of attending the Doctor of Medicine School at USUHS. He graduated and commissioned as a Regular Air Force captain in the Medical Corps on 20 May 95. In accordance with Title 10 Section 2126, time spent in the program is not creditable towards pay (longevity) or towards retirement, Total Active Federal Military Service Date. However, time spent in the USUHS program is only creditable towards the computation of retirement pay, 1405 date, as stated in the Office of the Assistant Secretary of Defense memorandum, dated 1 Jul 02, and in DoD 7000.14-R, *Financial Management Regulation*, Volume 7B, Chapter 1, paragraph 4.3.3.

During a review of the applicant's service dates, it was discovered that the 1405 date, retirement pay multiplier, was erroneously established as 4 Mar 91, which is 4 years credit for the time he spent in USUHS. The credit for the 1405 date should have only been for the actual time spent in the program as stated in DoD 7000.14-R. The applicant was in the program from 15 Aug 91 to 19 May 95, a period of 3 years, 9 months and 6 days. As a result, his 1405 date should be 28 May 91 versus 4 Mar 91. However, correcting this date will create a debt for the applicant. If the Board approves correction to the 1405 date, they recommend the Board waive any debt the applicant may incur.

Based on the documentation provided and analysis of the facts, there is evidence of an error. Block 18 of the DD Form 214 lists the incorrect attendance dates for USAFA. Accordingly, the applicant's record will be administratively corrected.

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 2 May 24 for comment (Exhibit D) 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 (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*.
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, in part. In this respect, AFPC/DPMLT determined the applicant's 1405 date is inaccurate and recommends granting partial relief to correct the 1405 date for re-computation of retired pay, but cautioned that doing so would create a debt to the applicant, which they recommend the Board waive. After careful consideration, the Board declined to accept AFPC/DPMLT's recommendation to correct this portion of the record as it would create a debt to the applicant. The Board determined that leaving the record undisturbed poses less risk to the applicant than the potentially adverse financial effects an unexpected debt may cause. In view of the foregoing, granting the applicant's request

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would be detrimental to the applicant; therefore, the Board recommends against correcting the applicant's records beyond that corrected administratively.

## RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2024-00152 in Executive Session on 24 Oct 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 3 Jan 24.

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

Exhibit C: Advisory opinion, AFPC/DPMLT, dated 1 May 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 2 May 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.

9/19/2025

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Board Operations Manager, AFBCMR

Signed by: USAF

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