

AUG 14 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-03681



COUNSEL: NONE

HEARING DESIRED: NO

Applicant requests that his (DD Form 214) Armed Forces of the United States Report of Transfer or Discharge, effective 1 August 1959, be amended to show 2 months, 11 days served in the Inactive Ready Reserve as active duty service. Applicant's submission is at Exhibit A.

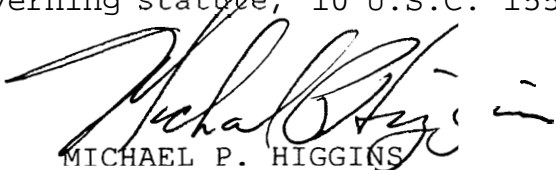
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board, Mr. Michael P. Higgins, Dr. Gerald B. Kauvar, and Mr. Allen Beckett considered this application on 28 July 1998, in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10 U.S.C. 1552.


MICHAEL P. HIGGINS
Panel Chair

Exhibits:

- A. Applicant's DD Form 214
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. SAF/MIBR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR RESERVE PERSONNEL CENTER

03 APR 1996

MEMORANDUM FOR AFBCMR

FROM: HQ ARPC/DR
6760 E Irvington Pl #3000
Denver CO 80280-3000

SUBJECT: Application for Correction of Military Record [REDACTED]

1. The requested correction cannot be accomplished administratively at this headquarters.
2. The applicant requests that his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, effective 1 August 1959, be amended to show the 2 months, 11 days that he served in the Inactive Ready Reserve as active duty service [REDACTED]
3. The following is an analysis of the circumstances surrounding the case:
 - a. The applicant was released from the United States Air Force on 1 August 1959 at [REDACTED] Air Force Base [REDACTED] and transferred to the United States Air Force Reserve, Inactive Ready Reserve, on 2 August 1959. He was discharged from the Inactive Ready Reserve on 12 October 1959.
 - b. The applicant states that after being transferred to the Inactive Ready Reserve, he was required to perform and was paid for active duty service for the entire 2 months, 11 days he was assigned to the Inactive Ready Reserve. He contends he was redlined and that is the reason he was not discharged until 12 October 1959.
 - c. All documentation indicates that the applicant was not serving on active duty during the contested 2 months, 11 days period. His NGB Form 23B, *Army National Guard Retirement Points History Statement*, prepared 26 August 1991 [REDACTED] shows he has no points from 2 August through 12 October 1959.
 - d. The applicant refers to the reverse of his DD Form 256, *Honorable Discharge*, effective 12 October 1959, which reflects that for pay purposes he was credited with 4 years, 2 months, 11 days of service. But this same document shows that his active service was only a total of 4 years [REDACTED]

e. The applicant ~~was~~ credited with the 2 months, 11 days on his DD Form 214, effective 20 March 1963 [REDACTED] His DD Form 214, effective 1 August 1959 [REDACTED] which shows his total service as 4 years is correct and should not reflect the time he spent in the Inactive Ready Reserve, as *this* time ~~was~~ served after the period of this particular DD Form 214.

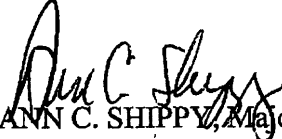
4. Recommendation: Recommend that the applicant's request be denied. There is no verification that the applicant ~~was~~ performing active duty from 2 August 1959 through 12 October 1959. His record shows that this time period was appropriately credited as Inactive Ready Reserve time. If the decision is to grant approval, the following actions should be taken:

a. HQ AFPC/DPMDOA should amend the applicant's DD Form 214 dated 1 August 1959 to reflect a discharge from the Regular Air Force on 12 October 1959.

b. The applicant's record should reflect an immediate reenlistment and that he ~~was~~ not transferred to the Air Force Reserve.

c. All documentation of the applicant's service in the Inactive Ready Reserve should be revoked or voided. Additionally, the Army National Guard should be advised to amend his retirement credits.

5. Action officer is Mr. Arthur Crecca, HQ ARPC/DRSS, DSN 926-8955, toll free 1-800-525-0102, extension 350, or e-mail acrecca@arpcmail.den.disa.mil.


ANN C. SHIPPY, Major, USAF
Deputy Director
Directorate of Customer Assistance