



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D. C.

FEB 18 1999

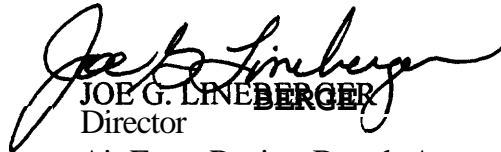
Office of the Assistant Secretary

AFBCMR 98-02722

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that he received a four-year Active Duty Service Commitment (ADSC) of 19 November 1999 as a result of his completion of Air Force Institute of Technology Professional Education on 20 November 1995.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

FEB 18 1999

IN THE MATTER OF:

DOCKET NUMBER: 98-02722

COUNSEL: [REDACTED]

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His Active Duty Service Commitment (ADSC) be established as 27 October 1999.

APPLICANT CONTENDS THAT:

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal are at Exhibit A.

STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letters prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

AIR FORCE EVALUATION:

The Chief, Officer and Enlisted Retirements Section, AFPC/DPPRR, reviewed this application and states that although the governing regulation directs a five-year ADSC for the training received, the rule is frequently misinterpreted by Military Personnel Flight technicians. They believe the applicant accepted the four-year ADSC in good faith and had a reasonable expectation to believe the information presented to him. Therefore, they recommend his records be corrected to show that he incurred a four-year ADSC for the completion of an advanced degree from AFIT. Although the applicant contends he completed all academic requirements on 27 October 1995, the applicant's Training Report (TR) indicates a completion date of 20 November 1995. In view of the above, and since the TR is the official source document to establish the last day of training, they recommend his records be

corrected to show that he incurred an ADSC of 19 November 1999 for the advanced degree via AFIT.

A complete copy of the Air Force evaluation is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant's counsel reviewed the Air Force evaluations and agrees with the recommendation to change his ADSC to 19 November 1999 (Exhibit E).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting favorable action on the applicant's request. Counsel contends the Air Force was extremely negligent and failed to provide the applicant sufficient counseling regarding his ADSC. In support of this contention, counsel submits an Officer Active Duty Service Commitment (ADSC) Counseling Statement, AF Form 63, signed by the applicant and an MPF official indicating that he would incur an ADSC of three times the length of training upon completion of an Academic Degree Program. Although the applicant initially requested an ADSC of 27 October 1999, the applicant's counsel has indicated that the applicant concurs with the Air Force's recommendation to change the ADSC to 19 November 1999. In view of the foregoing, equity dictates that the relief sought be granted.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that he received a four-year Active Duty Service Commitment (ADSC) of 19 November 1999 as a result of his completion of Air Force Institute of Technology Professional Education on 20 November 1995.

The following members of the Board considered this application in Executive Session on 8 February 1999, under the provisions of AFI 36-2603: