



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-04554

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. He be credited with active-duty time (57 points) and pay for the period 6 Aug 19 through 1 Oct 19.

APPLICANT'S CONTENTIONS

Errors in the process caused a break in service between his deployment orders and active sanctuary duty tour. Improper tracking of his sanctuary eligibility prevented proper sanctuary rights counseling prior to or during his active-duty tour (involuntary activation) and did not allow him or the Military Personnel Flight (MPF) to prepare for or apply for sanctuary in a timely manner.

Delays in recording tour points in his record caused the Air Force Personnel Center (AFPC) to initially think he was ineligible for sanctuary. Subsequently, this caused further delays in getting him on active-duty. He was in limbo for 57 days during which he reported to his unit, did not receive pay, acquired debt, and could not pursue a civilian job because of the uncertainty and slowness of the sanctuary process.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve (AFR) technical sergeant (TSgt/E-6).

According to the documentation provided by the applicant and analysis of the facts, the following information is provided:

According to AF Form 938, *Request and Authorization for Active Duty Training/Active Duty Tour*, dated 20 August 18, the applicant was partially mobilized in accordance with Title 10 United States Code § 12302 (10 USC § 12302) in support of Operation **Work-Product** from 27 Feb 19 to 10 Aug 19. Subsequently, on 26 Jul 19, his orders were amended to reflect an end date of 5 Aug 19.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisories at Exhibits C and D.

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AIR FORCE EVALUATION

ARPC/DPTS recommends denying the application, indicating the applicant did not provide adequate source documentation for award of points during the requested timeframe. If he did participate, but was not awarded pay, he should provide certified orders to his pay office and then provide the paid leave and earning statement (LES) to ARPC.

The complete advisory opinion is at Exhibit C.

AFPC/DP2LT recommends denying the application, indicating the applicant failed to show there was an injustice with delays recording tour points. During the period in question, the applicant claimed sanctuary on 26 Jul 19, with final indorsement and approval on 7 Aug 19. On 6 Aug 19, he transferred back to the AFR. Subsequently, on 2 Oct 19, he was relieved from the AFR and ordered to extended active duty.

During the 57 days the applicant belonged to his unit in the AFR, they would be responsible for his pay and benefits. The active-duty component should not be responsible for those entitlements until all actions are completed and the applicant received sanctuary orders. In addition, the applicant failed to show there was an injustice or support that he reported to his unit for 57 days while not receiving pay. To suggest the active-duty component should amend and back-date orders to cover the processing time is errant as the applicant was not reporting or performing for an active-duty unit prior to the sanctuary orders.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 22 May 20 for comment (Exhibit E) 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of both ARPC/DPTS and AFPC/DP2LT and finds a preponderance of the evidence does not substantiate the applicant's contentions. Therefore, the Board recommends against correcting the applicant's records.

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 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-2019-04554 in Executive Session on 30 Jun 20:

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, Panel Chair

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, Panel Member

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, Panel Member

All members voted against correcting the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 3 Oct 19.

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

Exhibit C: Advisory Opinion, ARPC/DPTS, dated 5 Mar 20.

Exhibit D: Advisory Opinion, AFPC/DP2LT, dated 28 Apr 20.

Exhibit E. Notification of Advisory, SAF/MRBC to Applicant, dated 22 May 20.

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

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