



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-00955

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Forty-eight (48) days of lost leave be restored.

APPLICANT'S CONTENTIONS

Upon retirement, he lost 48 days of leave due to an error on his part, combined with an incomplete review process by the responsible finance office. One of the routine steps for the finance office is to verify how many days of leave a member has previously sold in order to determine how many days a member can still sell. The error could have been rectified if the finance office would have properly completed their retirement worksheet. He is asking for an exception to the policy that an airman can only sell 60 days of leave in their career. Specifically, he is asking for payment of the 48 days of lost leave.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

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

AIR FORCE EVALUATION

AFPC/DPMSSM (Special Programs) recommends denying the application. During the applicant's finance out-processing appointment, he was asked whether he intended to sell or take leave. The applicant opted to sell 57 days of leave with the knowledge of knowing service members are authorized to sell 60 days of leave per career. Upon retirement, the applicant lost 48 days of leave due to an error of him forgetting he sold 51 days of leave upon his completion of enlisted service in 1992. According to statements provided by the applicant, the servicing finance office failed to conduct a review of the applicant's record to verify if leave was previously sold.

Department of Air Force Instruction (DAFI) 36-3003, *Military Leave Program*, Chapter 2, paragraph 2.4.5 limits payment of accrued leave to 60 days in a military career, effective 10 Feb 76. A military career includes former service in enlisted or officer status. Regardless of if the servicing finance office conducted a review of the applicant's record or not, the DAFI, supported

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[REDACTED]

by Title 37 U.S.C., Section 501 (f), precludes payments for leave balance exceeding sixty days within a career.

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 28 May 24 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSSM and finds a preponderance of the evidence does not substantiate the applicant's contentions. Therefore, the Board recommends against correcting the applicant's records.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

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-2022-00955 in Executive Session on 13 Aug 24:

[REDACTED], Panel Chair
[REDACTED], Panel Member
[REDACTED] Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 11 Mar 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSSM, dated 26 Apr 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 May 24.

[REDACTED]

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.

4/15/2025

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Board Operations Manager, AFBCMR

[REDACTED]

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