

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-01166

XXXXXXXXXX

**COUNSEL:** XXXX

**HEARING REQUESTED:** NO

**APPLICANT’S REQUEST**

He be credited for one (1) year of satisfactory service for his retention/retirement (R/R) for the period 27 Mar 18 – 26 Mar 19.

**APPLICANT’S CONTENTIONS**

Upon requesting verification for promotion eligibility he discovered time in service is not based on enlistment date, but on the number of satisfactory service years the member has served. The unit did not inform him of the “bad” year prior to this inquiry. During this time period he was performing his unit training assemblies (UTA) under the direction of his local Force Support Squadron (FSS), which limited student flight participation to one day per month. Had he been able to attend all Regular Scheduled Drills (RSD), he would have had enough points for a satisfactory year of service. This instruction negatively affected his career in terms of promotions and career progressions.

The applicant’s complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a currently serving ANG senior airman (E-4).

According to ANG Point Credit Summary report, the applicant was credited with the with the following Active Duty (AD), Inactive Duty for Training (IDT), membership (MBR), and retirement points from 2018 to 2020:

<b>R/R Year</b>	<b>AD</b>	<b>IDT</b>	<b>MBR</b>	<b>Retirement</b>	<b>Satisfactory Service (Year)</b>
<b>*27 Mar 18 - 26 Mar 19</b>	<b>7</b>	<b>20</b>	<b>15</b>	<b>42</b>	<b>000000</b>
27 Mar 19 - 26 Mar 20	274	8	15	297	010000

**\*Unsatisfactory Year**

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

**AIR FORCE EVALUATION**

NGB/A1PP recommends granting the application. Based upon documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. According to 32 U.S.C. §502, “Under regulations to be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, each company, battery, squadron, and detachment of the National Guard, unless excused by the Secretary concerned, shall assemble for drill and instruction, including indoor target practice, at least 48 times each year.” The applicant’s FSS was in error by directing its Student Flight members to only participate in half of each scheduled RSD. This was

detrimental to the applicant and kept him from receiving the necessary points required for a satisfactory year of service.

According to 10 U.S.C. §10147, each person who is enlisted, inducted, or appointed in an armed force and who becomes a member of the Ready Reserve under any provision of law except section 513 or 10145(b) of this title, shall be required, while in the ready reserve to: participate in at least 48 scheduled drills or training periods during each year and serve on active duty for training of not less than 14 days (exclusive of travel time) during each year, or; serve on active duty for training not more than 30 days during each year.

Additionally, according DoDI 1215.06 *Uniform Reserve, Training, and, Retirement Categories for the Reserve Components*, qualifying years of creditable service for non-regular pay are defined as the time Air National Guard or Reserve Service members must serve to be eligible for non-regular retired pay at age 60 years or earlier if the member is credited with qualifying active service. Individuals must have at least 20 years of service, unless otherwise provided in law, in which they received at least 50 points.

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 25 May 22 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of NGB/A1PP and finds a preponderance of the evidence substantiates the applicant’s contentions. Therefore, the Board recommends correcting the applicant’s records as indicated below.

### **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he be awarded an additional eight (8) non-paid IDT points for R/R year 27 Mar 18 to 26 Mar 19; and this period is a year of satisfactory federal service.

### **CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-01166 in Executive Session on 16 Jun 22:

- , Panel Chair
- , Panel Member
- , Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 21 Apr 22
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, NBG/A1PP, dated 19 May 22.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 25 May 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

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Board Operations Manager, AFBCMR