

## **RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-01223

XXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### **APPLICANT'S REQUEST**

1. His Military Personnel Appropriation (MPA) tour, 29 Aug 21 through 24 Sep 21, be amended to conclude on 30 Sep 21.
2. He receive all back pay and allowances associated with his corrected end date.

### **APPLICANT'S CONTENTIONS**

On 29 Aug 21, the applicant began an MPA tour that was projected to end on 24 Sep 21. While on the MPA Tour, the applicant requested an extension to 30 Sep 21. On 14 Sep 21, HQ RIO submitted a request to modify the applicant's orders; however, the modification was never completed. The applicant is requesting the modification be processed, and official amendments created so that he can be compensated for duty through 30 Sep 21.

The applicant's complete submission is at Exhibit A.

### **STATEMENT OF FACTS**

The applicant is an Air Reserve special agent.

According to Reserve Order No. XXXXX, provided by the applicant, he was placed on MPA orders with a report date of 29 Aug 21 and a release date of 24 Sep 21.

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

### **AIR FORCE EVALUATION**

HQ RIO, recommends granting the application. On 29 Aug 21, the applicant began a 27-day MPA Tour through 24 Sep 21. During the tour, the applicant requested a modification to extend the tour to 30 Sep 21; however, HQ RIO never completed the modification. The applicant completed the tour through 30 Sep 21, without an approved amendment. On 24 Feb 22, the HQ RIO Detachment 7 commander inquired with the AFOSI/HQ/ERX Resource Advisor regarding the tour modification. On 7 Jan 22, HQ RIO Det 7 actioned an extension of the order after AFOSI/HQ/REX Resource Advisor replied that the modification was requested on 14 Sep 21. However, the extension request by HQ RIO Det 7 was unsuccessful because the FY21 books closed on 10 Dec 21. On 25 Feb 22, the AFOSI/HQ/ERX Resource Advisor confirmed that SAF/FM closed the military pay books, and AF/A1 could not reopen them. There is evidence of error or injustice because the applicant requested a modification prior to the order ending on 24 Sep 21.

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 20 Sep 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 HQ RIO 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 that his Military Personnel Appropriations, Reserve Order Number, XXXXXX be amended to reflect a release date of 30 September 2021; and he receive all back pay and allowances associated with a release date of 30 September 2021.

## **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-2022-01223 in Executive Session on 8 Nov 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 20 Apr 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, HQ RIO, dated 13 Sep 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 15 Sep 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.

**X**

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Board Operations Manager, AFBCMR