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

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RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00183

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: YES

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APPLICANT'S REQUEST

Her retention/retirement (R/R) year be changed from 17 Apr 15 to 8 Aug 15.

APPLICANT'S CONTENTIONS

After she was appointed on 17 Apr 15, she was not allowed to participate until Aug 15. Because of this four month delay in participation, she missed qualifying for a satisfactory year by one day. This one day occurred over the drill weekend of 16 and 17 Apr 16, which was the same weekend as her R/R anniversary date. Instead of receiving four points towards her 2016 R/R year and being credited with a good year, she only received two; the other two points were then credited towards her 2017 R/R year. She takes responsibility and understands that military regulations exist for the greater good of the system; however, in this case, the greater good is not served.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve lieutenant colonel (O-5).

On 10 Jun 96, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 10 Jun 96, the applicant was released from active duty and credited with four years and one day of active service.

According to ARPC IMT 25, *Service Computation Worksheet (DOPMA)*, dated 21 Mar 16, the applicant served in the Regular Air Force and Air Force Reserve for the inclusive dates of 12 May 92 – 21 Apr 00, she then served in the Navy Reserve for the inclusive dates of 22 Apr 00 – 8 Sep 04.

On 6 Apr 15, according to HQ ARPC/DPTAA memorandum, dated 6 Apr 15, the applicant was tendered an indefinite appointment in the Reserve of the Air Force in the rank of major (O-4), Nurse Corp, effective the date of acceptance.

On 17 Apr 15, according to Reserve Order **Work-Product**, dated 27 Apr 15, the applicant was appointed as a Reserve of the Air Force in the rank of major and on the same date, she signed her Oath of Office.

On 8 Aug 15, according to a myPers Total Force Service Center thread, the applicant was credited with her first participating points.

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Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

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According to a Point Credit Accounting Record System report, the applicant was credited with the following Active Duty (AD), Inactive Duty for Training (IDT), membership (MBR), and retirement points from 2016 to 2022:

R/R Year	AD	IDT	ECI	MBR	Retirement	Satisfactory Service (Year)
*17 Apr 15 – 16 Apr 16	0	33	0	15	48	000000
17 Apr 16 – 16 Apr 17	31	47	81	15	174	010000
17 Apr 17 – 16 Apr 18	26	52	3	15	96	010000
17 Apr 18 – 16 Apr 19	25	48	39	15	127	010000
17 Apr 19 – 16 Apr 20	23	36	23	15	97	010000
17 Apr 20 – 16 Apr 21	88	51	0	15	154	010000
17 Apr 21 – 16 Apr 22	24	44	0	15	83	010000

***Unsatisfactory Year**

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

APPLICABLE AUTHORITY/GUIDANCE

Air Force Instruction 36-2554, Vol 1, *Reserve Personnel Participation*, 26 May 10, Chapter 2, Allowable Federal Service for Members of the ARC [Air Reserve Component]. 2.1. Points are a unit of measurement for tracking a member’s participation. They are also used to calculate the amount of participation for retirement purposes. The number of earned points determine a member's eligibility for retention both in Ready Reserve programs and in an active Reserve status. Active Reserve status means any status other than an assignment to the ISLRS [inactive status list Reserve section], the Temporary Disability Retired List, the Inactive National Guard, or the Retired Reserve Section. See AFI 36-3209 for the minimum amount of service required for a Reserve retirement.

2.2. Crediting Points and Satisfactory Federal Service. Award one point for each day of active duty. Award one point for four hours of IDT, not to exceed two points per calendar day. AFIADL determines the number of study hours awarded for AFIADL courses, and normally awards one point for each three study hours. Membership points are credited, up to 15 points (prorate points for periods less than a year) for active Reserve status for each R/R year. Points may only be credited to the date a member actually performed the duty, except in those activities where the cumulative method is authorized, such as telecommuting.

AIR FORCE EVALUATION

ARPC/DPTSP recommends denying the application. The applicant was discharged from military service on 16 Apr 15 and on 17 Apr 15 she accepted an appointment in the Reserve of the Air Force. In accordance with Department of Defense Instruction 1217.05, *Service Credit for Non-Regular Retirement*, section 3.1, “The start date month and day for each successive anniversary year will not change unless the service member has a break in service. A service member who returns to an active status in the RC (Reserve Component) after a break in service will have a revised anniversary year. The anniversary year start date will change to the return or reentry date.” As such, after the applicant’s break in service, her new anniversary year was revised to correctly reflect when she was appointed into the Reserve Component. Therefore, based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. The applicant’s anniversary year correctly reflects 17 Apr 15.

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 10 May 23, 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 injustice. While the Board notes the recommendation of ARPC/DPTSP against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions in part. The applicant requested her R/R year be changed from 17 Apr 15 to 8 Aug 15 because she was not allowed to participate until four months after she was appointed in the Air Force Reserve. However, the Board determined the applicant's R/R year is not in error and changing it would have a cascading effect on her subsequent R/R years. Nonetheless, the Board determined the applicant suffered an injustice because she was not allowed to participant for four months, which prevented her from achieving a satisfactory year of service for her R/R year ending 16 Apr 16. Therefore, in the interest of justice the Board recommends the applicant be credited with two non-paid IDT points. Accordingly, the Board recommends correcting the applicant's records as indicated below.
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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show she was awarded an additional two non-paid IDT points for R/R year 17 Apr 15 to 16 Apr 16, and this period is a year of satisfactory federal service.

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

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-2023-00183 in Executive Session on 6 Jul 23:

Work-Product	Chair, AFBCMR
Work-Product	Panel Member
Work-Product	Panel Member

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

- Exhibit A: Application, DD Form 149, dated 5 Jan 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPTSP, dated 5 May 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 May 23.

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.

8/9/2023

X

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Board Operations Manager, AFBCMR

Signed by: *Work-Product*