



**CUI//SP-MIL/SP-PRVCY**

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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-00774

*Work-Product*

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His orders be amended for the time period of 1 January 2009 through 10 February 2010, 11 February 2010 through 17 July 2010 and 18 July 2010 through 25 February 2011 to 10 USC 12301(D).

**APPLICANT'S CONTENTIONS**

His orders covering attendance of Undergraduate Pilot Training and the associated courses were incorrectly labeled Title 32, despite explicit Air National Guard (ANG) Workday guidance that stated such orders must be Title 10. Without correction, he stands to lose approximately two years' worth of credit toward the reduced retirement age benefit to which his service has entitled him.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a currently serving Air National Guard major (O-4).

The following information was provided by the applicant:

Order Number *Work-Product*, dated 18 December 2008, reflect Type of Duty/Authority: School Military Status (Title 32) 32 USC 503, AFH 10-416 and ANGI 36-2001. Purpose: Attendance of – Course Name/Number: ENJPT Phase I and II/PV4AN; Itinerary: 1 January 2009 through 10 February 2010.

Order Number *Work-Product*, dated 21 January 2010, reflect type of duty/Authority: School Military Status (Title 32) 32 USC 503, AFH 10-416 and ANGI 36-2001. Purpose: Attendance of – Course Name/Number: Break In Training/BIT, IFF/FV5AK SQ; Itinerary: 11 February 2010 through 17 July 2010.

Order Number *Work-Product*, dated 12 March 2010, reflect Type of Duty/Authority: School Military Status (Title 32) 32 USC 503, AFH 10-416 and ANGI 36-2001. Purpose: Attendance of – Course Name/Number: A10C Pilot Initial Qualification/A10CPLTIQ; Itinerary: 18 July 2010 through 25 February 2011.

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

**AFBCMR Docket Number BC-2023-00774  
CUI//SP-MIL/SP-PRVCY**

Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
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## **AIR FORCE EVALUATION**

NGB/A1D recommends partially granting the application. The NGB FY09 and FY10 Workday Guidance's both states, "All ANG members attending Undergraduate Flying Training (UFT) programs and Professional Military Education (PME) will attend in a Title 10 status." Order number [Work-Product], dated 1 January 2009 to 10 February 2010, was issued to attend Euro-NATO Joint Jet Pilot Training Program (ENJJPT) which does qualify as Undergraduate Flying Training. At the completion of ENJJPT the applicant received his pilot aeronautical rating. Any courses after receiving the aeronautical rating do not qualify as Undergraduate Flying Training. Order number [Work-Product], dated 11 February 2010 through 17 July 2010, was issued for a break in training between courses and does not qualify for a Title 10 order. Order number [Work-Product], dated 18 July 2010 through 25 February 2011, was issued for the applicant to attend A10C Pilot Initial Qualification training which is not Ungraduated Flying Training and does not qualify for a Title 10 order.

Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error for order number [Work-Product] which was issued incorrectly as Title 32 instead of Title 10. However, the other orders were issued correctly.

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 23 May 2023 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/A1D and finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, the applicant has provided the FY09 Workday Guidance, dated 24 November 2008 and Order Number [Work-Product], dated 18 December 2008, for the period 1 January 2009 through 10 February 2010, which is sufficient to justify granting the applicant's request to amend the order to reflect 10 USC 12301(D). However, for the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice, and the Board therefore finds no basis to recommend granting that portion of the applicant's request. 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 Order Number [Work-Product], dated 18 December 2008, for the period 1 January 2009 through 10 February 2010 was issued under Title 10 USC 12301(d).

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-2023-00774 in Executive Session on 11 July 2023:

- Work-Product**, Panel Chair
- Work-Product**, Panel Member
- Work-Product**, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 13 March 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1D, w/atchs, dated 16 May 2023.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 23 May 2023

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.

3/20/2024

X **Work-Product**

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Board Operations Manager, AFBCMR  
Signed by: **Work-Product**