

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-01041

XXXXXXXXXXXX

COUNSEL: XXXXXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be allowed to transfer eight points from his Retention/Retirement (R/R) year 2020 to R/R year 2021 in order to receive credit for a satisfactory year.

APPLICANT'S CONTENTIONS

He has served on active duty or as a Traditional Reservist and had always had a "good year". However, in 2020 he became an Individual Mobilization Augmentee (IMA), and due to his being a relatively new IMA, during his 2021 R/R year which ran from 15 Aug 20 to 14 Aug 21, he did not complete eight points before the end of the R/R year as the duty was incorrectly completed in Sep 21 instead of Aug 21.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve colonel (O-6).

Effective 1 Jan 20, according to AF IMT 2096, *Classification/On-The-Job Training Action*, dated 27 Dec 19, the applicant was assigned to IMA position XXXXXXXXX.

According to the Point Credit Accounting Record System (PCARS) report, he was credited with the following Active Duty (AD), Inactive Duty for Training (IDT), membership (MBR), and retirement points from 2019 to 2022:

R/R Year	AD	IDT	MBR	Retirement	Satisfactory Service (Year)
15 Aug 19 – 14 Aug 20	21	36	15	72	010000
*15 Aug 20 – 14 Aug 21	3	24	15	42	000000
15 Aug 21 – 14 Aug 22	22	16	15	53	010000

***Unsatisfactory Years**

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

APPLICABLE AUTHORITY/GUIDANCE

DoDI 1215.06 *Uniform Reserve, Training, and, Retirement Categories for the Reserve Components*, Part II. *Definitions*, 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.

AIR FORCE EVALUATION

ARPC/DPTSP recommends denying the request. Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. The Points Management Team researched his master personnel record as well as the documentation provided by the applicant and found that he had an unsatisfactory year towards retirement in his R/R year 15 Aug 20 to 15 Aug 21 (2021 R/R year).

In accordance with Air Force Manual (AFMAN) 36-2136, *Reserve Personnel Participation*, 6 Sep 19, Chapter 2, *Allowable Federal Service for Members of the Air Force Reserve*, paragraph 2.2, *Crediting Points for Satisfactory Federal Service*, "...Points may only be credited to the date a Reservist actually performed the duty." The applicant's records accurately reflect all duty performed during that period of service. Therefore, he did not meet the legal standard set in AFMAN 36-2136 to be awarded any additional 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 24 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPTSP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes that the applicant's R/R year did not change when he transferred to his new Reserve position as an IMA and has provided no evidence or explanation as to why he was unable to perform his duty prior to the end of his 2021 R/R year other than he was new to the IMA program. As such, the Board has found no error or injustice on the part of the Air Force that would justify the transfer or award of points that he did not complete in his 2021 R/R year. Therefore, the Board recommends against correcting the applicant's records.

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-2023-01041 in Executive Session on 20 Jul 23:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 31 Mar 23.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, ARPC/DPTSP, w/atchs, dated 22 May 23.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 24 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.

X

Board Operations Manager, AFBCMR