

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-01481

XXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His official military personnel record be amended to reflect:

- a. He retired from the Air National Guard (ANG) on 9 Jan 23 vice 8 Jan 23.
- b. He participated in Unit Training Assembly (UTA) drill periods on 8 Jan 23.
- c. He receive pay and points for 8 Jan 23.

APPLICANT'S CONTENTIONS

He performed drill on 8 Jan 23 and was told by his base finance office twice that he was good to drill that day, even if his retirement date was the same day. He did two drill periods that day and flew home on a C-130 that evening. He did not get paid or receive his two drill points for 8 Jan 23. His commander was aware that he asked two times at finance if he was good to drill that day and get paid, but that failed to happen. This was turned over to his United States senator to get corrected and he was told by that office and his unit the Air Force Board for Correction of Military Records (AFBCMR) was the best way to fix this issue so he could be correctly paid and receive points. It took this long to get responses from his unit and the National Guard Bureau before he could proceed with this process.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired ANG senior master sergeant (E-8) awaiting retired pay at age 60.

On 7 Jan 23, according to Special Order XXXXX, the applicant was relieved from assignment and honorably discharged from the [State] ANG. On this same date, according to NGB Form 22, *National Guard Report of Separation and Record of Service*, the applicant was furnished an honorable discharge, with Authority and Reason: AFI 36-3209, paragraph 3.12.6., Transfer to the USAF Reserve Retired List – Retirement Voluntary//Under Age 60, SPD: RBD, and credited with 31 years total service for retired pay.

On 8 Jan 23, according to Reserve Order XXXXX, dated 20 Oct 22, the applicant was assigned to the Retired Reserve Section and placed on the USAF Reserve Retired List.

According to unit Roll Call sheets for 7 Jan 23 and 8 Jan 23, provided by the applicant, he was marked "Present in Formation" for 7 Jan 23 and 8 Jan 23.

As of 9 Jan 24, according to the Point Credit Accounting Record System (PCARS), the applicant did not earn Inactive Duty for Training points for the UTA scheduled for 7-8 Jan 23.

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

APPLICABLE AUTHORITY/GUIDANCE

In accordance with Air National Guard Instruction (ANGI) 36-2001, *Management of Training and Operational Support Within the Air National Guard*, Chapter 2, *Standards, Requirements, and Participation Categories*:

2.4. *Participation Authorization*. Authorization of pay, entitlement to retirement points, and any claim or benefit that may arise as a result of military service requires documentary evidence that the member was in a duty status and performed such duty as authorized by Federal law or regulation. Unit commanders will issue written authorization (see paragraph 2.4.1) governing training, in a pay or non-pay status, in advance of such training. Commanders must pay particular attention to ensuring appropriate internal controls are in place to monitor authorization, certification and documentation in the execution of workdays and resources.

2.4.1. Written authorization may contain the schedule of training for the entire unit, subordinate elements, or individual members. AROWS ANG Form 105S, *Individual Inactive Duty Authorization/Certification*, ANG Form 633, *Regularly Scheduled Drill Roster*, or authorized substitute, may be used to satisfy this requirement.

AIR FORCE EVALUATION

NGB/A1PP recommends denying the application. Based on the documentation provided by the applicant and analysis of the facts, there is not enough evidence to support the applicant's claim.

The applicant applied for a non-regular retirement with an effective date of 8 Jan 23. NGB/A1PP reviewed the applicant's record in the ANG Reserve Order Writing System (AROWS) and did not find an ANG Form 105S that reflects the applicant attended two drill periods on 9 Jan 23 [sic¹].

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 26 Oct 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 NGB/A1PP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant's participation was not documented in accordance with ANGI 36-2001, and the roll call sheets provided by the applicant do not have a signature or reflect another means of official certification. Therefore, the Board recommends against correcting the applicant's records.

¹ Typographical error in advisory; should reflect "8 Jan 23."

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 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-2023-01481 in Executive Session on 13 Feb 24:

, 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 30 Apr 23.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, NGB/A1PP, dated 5 Oct 23.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 26 Oct 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