



CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2023-01631

COUNSEL: *Work-Product*

HEARING REQUESTED: NO

APPLICANT'S REQUEST

The following orders be changed from Title 32 to reflect Title 10:

- a. Order Number *Work-Product* with AROW tracking number *Work-Product*
- b. Order Number *Work-Product* with AROWS tracking number *Work-Product*
- c. Order Number *Work-Product* with AROWS tracking number *Wor...ork-Product*

APPLICANT'S CONTENTIONS

The clerical error resulting from these orders being Title 32 instead of being Title 10 are effecting his ability to submit for a Reduced Retirement Age (RRA) eligibility. Per the NDAA FY09 and NDAA FY10, these orders should be Title 10 as they state, "All ANG members attending Undergraduate Flying Training (UFT) programs and Professional Military Education (PME) will attend in Title 10 status." Correcting this administrative error will follow both NDAA FY 09 and NDAA FY10 guidance and allow him to submit his RRA.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard (ANG) lieutenant colonel (O-5).

According to documentation provided by the applicant:

From 8 Aug 07 – 23 Sep 08, according to Order Number *Work-Product* dated 2 May 08, the applicant was placed on Title 32 status in accordance with 32 USC 503, AFH 10-416, *Personnel Readiness and Mobilization* and ANGI 36-2001, *Management of Training and Operational Support within the Air National Guard* for the purpose of attendance of Euro NATO Pilot Training (ENJPT) Phase I&II, T-37.

From 24 Sep 08 – 18 Apr 09, according to Order Number *Work-Product* dated 30 Mar 09, the applicant was placed on Title 32 status, in accordance with 32 USC *Work-Product* AFH 10-416 and ANGI 36-2001 for the purpose of attending course FV5AK IFF (Introduction to Fighter Fundamentals).

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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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From 19 Apr 09 – 28 Feb 10, according to Order Number [Work-Product] dated 25 Nov 09, the applicant was placed on Title 32 status, in accordance with 32 USC 503, AFH 10-416 and ANGI 36-2001, for the purpose of attending the A-10C Pilot Initial Qualification course.

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

APPLICABLE AUTHORITY/GUIDANCE

NGB/A1 memorandums, *FY09 Workday Guidance*, dated 24 Nov 08, and *Fiscal Year 2010 Workday Guidance*, dated 25 Aug 09, reflect the following “All ANG members attending Undergraduate Flying Training (UFT) programs and Professional Military Education (PME) will attend in a Title 10 status.”

AIR FORCE EVALUATION

NGB/A1D recommends denying the request. Based upon the documentation provided by the applicant and analysis of the facts, there is no evidence of an error for order number [Work-Product] [Work-Product]. A review of the applicable workday guidance indicates the ability to issue Undergraduate Flying orders as Title 10 orders did not appear until issuance of the FY09 Workday Guidance.

Order Number [Work-Product] dated 2 May 08, was issued for the applicant to Undergraduate Flying Training (UFT) by attending the Euro-NATO Joint Jet Pilot Training Program (ENJJPT) in Title 32 status for the period of 8 Aug 07 – 23 Sep 08. Although this training did qualify as Undergraduate Flying Training, this order was issued under the *FY07 Workday Guidance*, which did not include guidance to issue UFT orders as a Title 10 order.

At the completion of ENJJPT, he received his pilot aeronautical rating. Order Number [Work-Product] dated 30 Mar 09, was issued for him to attend Introduction to Fighter Fundamentals and Order Number [Work-Product] dated 25 Nov 09, was issued for him to attend A10C Pilot Initial Qualification training. However, any follow-on flying training course that occurred after receiving the aeronautical rating does not qualify as UFT. Therefore, based upon the applicable workday guidance, both the follow-on flight training courses he attended on Title 32 orders, Order Number [Work-Product] and Order Number [Work-Product] after completion of UFT are not eligible to be issued as a Title 10 order.

The complete advisory opinion and a copy of the *FY07 Workday Guidance* is at Exhibit C.

APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 5 Sep 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/A1D and finds a

preponderance of the evidence does not substantiate the applicant's contentions. While the applicant contends his attendance at Undergraduate Flying Training and follow on flying training should have been conducted while in a Title 10 status, the Board disagrees and finds the governing directive to be the FY07 Workday Guidance which does not include guidance to issue UFT orders as a Title 10 order. 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-2023-01631 in Executive Session on 13 Feb 24:

Work-Product [redacted] Panel Chair
Work-Product [redacted] Panel Member
Work-Product [redacted] Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 16 May 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, NGB A1D, w/atch, dated 30 Aug 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 5 Sep 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.

3/11/2024

X *Work-Product* [redacted]

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