

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02332
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be paid the final installment of his Special Reenlistment Bonus (SRB) that would have been paid to him upon medically retiring from the Air Force due to a disability he incurred during a combat zone deployment.

APPLICANT CONTENDS THAT:

According to Department of Defense (DoD) Financial Management Regulation (DoDFMR) Volume 7A, Chapter 2, dated March 2009, Table 2-1, Rule 2, since his retirement is for a disability incurred in the line of duty in a combat zone designated by the President or the Secretary of Defense (SecDef), or in a combat-related operation designated by SecDef, and/or involves a combat-related disability as defined in Title 10, United States Code (USC), Section 1413a(e), any unpaid portion of bonus pay under Title 10 or Title 37, USC, will be paid to members upon separation. He did not get his final bonus payment when he separated.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant reenlisted on 7 May 2009 for a period of four years with a Zone B, Multiple 7 SRB, in Air Force Specialty Code "J1C251 - Parachutist, Combat Control.

While deployed to Afghanistan in 2010, the applicant was involved in an Improvised Explosive Device blast during patrol duties. He was ejected from his vehicle and sustained head and spinal injuries which prohibited him from executing his military duties. He subsequently was found unfit by an Informal Physical Evaluation Board and placed on the Temporary Disability Retired List effective 27 April 2012, per Special Order Number ACD-01511, dated 5 March 2012.

The remaining relevant facts, extracted from the applicant's master personnel records, are contained in the evaluations by the Air Force offices of primary responsibility at Exhibits C and D.

AIR FORCE EVALUATION:

AFPC/DPSOA defers to the Defense Finance and Accounting Service (DFAS) to determine if the applicant should have been paid final payment as requested. Per Air Force Instruction 36-2606, *Reenlistment in the USAF*, paragraph 4.16, SRB termination/recoupment/repayment will be processed as outlined in the DoDFMR, Volume 7A, Chapter 2.

The complete AFPC/DPSOA evaluation is at Exhibit C.

DFAS-IN recommends denial. DFAS-IN states the separation code used at the time did not authorize payment of the applicant's SRB balance. However, on 13 July 2012, the Separations Branch of Military Pay Operation issued an entitlement to SRB in the amount of \$11,662.00. A check in the amount of \$8,502.85 was issued on 25 July 2012. Therefore, it would appear the applicant's request for correction of military record has been favorably addressed and that no further action is required.

The complete DFAS-IN evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Pursuant to the AFBCMR inquiry regarding the applicant's final SRB payment, the applicant confirmed that he did receive his final payment in the amount of \$8,502.85.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of an error or an injustice. Based on the applicant's confirmation of receipt of payment, it appears that the applicant's request for correction of record has been favorably addressed and no further action is required. However, it is unclear whether he is contesting the amount of his last SRB payment of \$8,502.85. Therefore, we considered the applicable evidence to determine if there was any error or injustice in this regard. Based on the evidence provided by the DFAS, we note the applicant's last SRB entitlement of \$11,662.00 was reduced by appropriate deductions and issued in the amount of \$8,502.85. Therefore, based on this information, we agree with the opinions

and recommendations of the Air Force offices of primary responsibility and adopt their rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2012-02332 in Executive Session on 5 March 2013, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered for AFBCMR Docket Number BC-2012-02332:

- Exhibit A. DD Form 149, dated 4 Jun 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOA, dated 9 Jul 12.
- Exhibit D. Letter, DFAS-IN, dated 13 Nov 12.
- Exhibit E. Letter, SAF/MRBR, dated 26 Nov 12.
- Exhibit F. Applicant's email communique.

Panel Chair