

## Gate Waiver Request Instructions (for Continuous AvIP)

1. Use the template available at <https://www.public.navy.mil/bupers-npc/officer/Detailing/aviation/OCM/Pages/ACIP.aspx>, but please read this entire primer carefully and follow these instructions as you fill out the letter, and as you prepare a draft endorsement for your CO or reporting senior to sign.
2. The window for submitting a gate waiver opens one year prior to the gate in question, and closes two years after the gate in question. However, per SECNAVINST 7220.88, AvIP lost between a failed gate and the submission date of a waiver request is not payable upon waiver approval! Lost AvIP in these cases will only be back-paid to the date of the original request. *So get the waiver request submitted **before** the gate passes.*

To submit a waiver, you must have at least 72 MOF. If you have not yet accrued 72 MOF, please submit your waiver once you have accrued 72 MOF.

Officers who have fewer than 120 MOF at the 18 year gate will be considered for a “**low gate**” waiver, which, if granted, will entitle them to continuous AvIP through **22 years** of aviation service. Officers who have between 120 and 143 MOF at the 18 year gate will be considered for a “**high gate**” waiver, which, if granted, will entitle them to continuous AvIP through **25 years** of aviation service.

3. To calculate when the gate occurs, simply add 12 or 18 years to your Aviation Service Entry Date (ASED). ASED is the first day you report to a squadron/wing/unit that physically possesses aircraft for the purpose of flying. For most Naval Aviators and Naval Flight Officers this will be the date that they reported to a training wing or squadron for primary flight training. ASED is viewable on the Officer Data Card (ODC) on BuPers Online, in block 27.

4. Again, please refer to the template. Below are instructions on how to count up the months of your aviation service career so that your letter matches the official way that policy directs us (PERS-435) to count up months in order to determine continuous AvIP eligibility.

5. **Aviation Commissioning Date (ACD) and Aviation Service Entry Date (ASED).** See blocks 26 and 27 on your Officer Data Card, available on BuPers Online. Remember, ASED is the day you report to a flying activity....API does not count as “aviation service”. If the dates listed on your ODC do not match what you believe to be correct, contact your detailer or call PERS-435 at (901) 874-3484.

6. “**Total MOF performed.**” For the two subsections to this part of the letter, they should read:

- c. Total MOF performed:
  - i. At the 12/18 year gate: XX (if the gate will happen in the future, add the word “projected” in parenthesis)
  - ii. As of the date of this letter: YY

See below for guidance on how to count up the months. When listing your MOF count at the 12/18 year gate, remember that the month in which you earn your very first MOF in your career cannot also count 12/18 years later as a MOF earned prior to the gate. To illustrate: an officer who reported to primary on 5 January 2000 earned his first MOF in January of 2000; it makes logical sense then that January of 2012 cannot count as a MOF achieved prior to the gate. This is because the gate occurs on a specific day—the 5<sup>th</sup> of January 2012, in this case. Assuming continuous DIFOPS time throughout, this officer’s MOF count could not possibly be 145 in 12 years. His MOF would be 144 at the 12 year gate, and his 145<sup>th</sup> MOF (January of 2012) would not technically accrue until he was past his 12 year gate. Conversely, an officer who reported to primary on 25 January 2000 would not have earned her first MOF until February 2000; therefore, January of 2012 would count as a full month inside of her 12 year gate (and as a MOF credit, if she spent it on DIFOPS orders). See below for determining situations involving reporting or detaching on the 15<sup>th</sup> of the month.

7. **Where to Start Counting Months.** Begin your list of DIFOPS and DIFDEN tours *at your ASED* (so your earliest tour listed should always be a DIFOPS tour). Do not list any tours prior to when you actually began flying Navy airplanes. Do not list API. Do not list any TDY or anything else for which you were not issued a set of DIFOPS or DIFDEN orders (ie GSA assignments should be listed, but IA should not). For DIFDEN tours, please spell out the name of your command and list what your primary duty was (i.e. shooter, flag aide, assistant navigator, etc.)

## 8. How to Count the Months.

a. These directions are based on three basic principles:

i. You receive months of operational flying (“MOF”) credit not for doing flying, but for being under Duty Involving Flying (“DIFOPS”) orders;

ii. You are considered to be under your *next* set of orders effective the day after the date of your “Detachment of Individual” fitness report (or fitness report extension letter) from your previous command. (Therefore time spent doing intermediate stops while en route to a flying tour counts as MOF, but I-stop time en route to a DIFDEN tour does not.)

iii. There are no fractional months in the counting of MOF. Months that are split between DIFOPS and DIFDEN tours are awarded in their entirety to one or the other tour, according to the following rule, from CNAF M-3710.7: *“Operational flying duty time shall be credited in months. So far as fractions of months are concerned, the 15th day of the month is the breakeven point for crediting or not crediting a month. Detachment from operational flying duty after the 15th day of any month or assignment to operational flying duty on or before the 15th day of any month entitles a member to credit for the entire month. The date a member signs out or otherwise vacates an assignment will be used as the date of detachment. The next day will be used as the date of assignment.”* - CNAF M-3710.7, section 11.3.2 paragraph b.

Or, in other words, to get a MOF credit for a month during which an officer transfers from DIFOPS to DIFDEN, his or her detaching FITREP must be end-dated on the 16<sup>th</sup> or later; and to get MOF credit for a month during which an officer transfers from DIFDEN to DIFOPS, his or her detaching FITREP must be end-dated on the 14<sup>th</sup> or earlier.

b. Ensure that every month, from your first MOF to the date of your letter, is included exactly once somewhere in your list of DIFOPS and DIFDEN tours. Your dates for each tour should match your report date and loss dates in your NSIPS History of Assignments. If there is a gap between loss date and the subsequent report date, use the day after your previous loss date as your report date for the next tour.

9. Paragraphs 2, 3, and 4. Pretty well self-explanatory in the template. Please ensure they read verbatim the same as the template.

## 10. The CO’s endorsement.

a. There is no template for the CO/reporting senior endorsement of the gate waiver. Please do not request one from PERS-435. If you need help drafting a endorsement letter, please seek assistance from your nearest administrative office.

b. Endorsements must be on command letterhead.

c. Endorsements need not contain anything other than the CO/reporting senior’s statement that the request is forwarded with a recommendation of approval (or not).

d. If COs wish to include more in their endorsement, this can be an appropriate place for descriptions of why you were detailed to non-flying billets; why the Navy needed this officer to take this hard staff job, or this tough non-flying sea duty, etc. Generic statements about the quality of the officer will not generally improve the chances of waiver approval; but explanations of why the DIFDEN tours were necessary, and therefore why the SECNAV should approve the AvIP for the officer who did not meet the MOF, may improve those chances. (Also, any officer who wishes to include his or her own explanation of their own DIFDEN tours that were “hard fills” or needs of the Navy etc may do so by simply adding a paragraph to the waiver request letter.)

11. Submission method. Please scan and email your request and endorsement (preferably in one pdf) to [avipandavb@navy.mil](mailto:avipandavb@navy.mil). Remember that gate waiver authority belongs to SECNAV, and may be delegated to DASN (MM&P). For this reason waiver requests can take six to nine months, or even more for adjudication, as they are routed from PERS-435 through PERS-4, CNPC, N1 staff, and then DASN (MM&P). Please be patient, and please get your waiver requests in early....you can submit as soon as you are within a year of your gate (and have a minimum of 72 MOF).

12. Likelihood of approval. Per OPNAVINST 7220.18A, “waivers will only be considered for due-course officers that have screened or have potential to be selected for career milestones (i.e., aviation department head and aviation command).” If you are no longer eligible to screen for the next career milestone (i.e. 2xFOS), do not expect your waiver request to be approved.