



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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2024-01704

**COUNSEL:**

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

To correct his active duty time in service (TIS).

**APPLICANT'S CONTENTIONS**

He requests to have his records corrected to reflect his correct TIS so that he may receive an active duty retirement with backpay. A material error occurred in the changing of the applicant's TIS. This change resulted in the applicant being 87 days short of an active duty retirement. The applicant has been unable to receive the benefits that accompany an active duty retirement, despite serving on active duty for almost half of his entire military service. The applicant has missed out on additional retirement pay that he would receive as an active duty retiree versus a reserve retiree. The applicant being short 87 days was only caused by administrative decisions that changed his time on active duty service. The applicant will continue to suffer from this injustice until his retirement is changed and he is granted the backpay he deserves.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a retired Air Force Reserve master sergeant (E-7).

On 1 Mar 22, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was released from active duty. Block 12d., *Total Prior Active Service*, reflects 19 years, 4 months and 11 days. His character of service is Honorable, with a Separation Code of MBK (Completion of active duty service commitment or expiration of term of service), and a Narrative Reason for Separation of Completion of Required Active Service.

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

**AIR FORCE EVALUATION**

ARPC/DPTT (Transition Division) recommends denying the application. The applicant claims his prior MPF denied him Sanctuary Protection and is requesting he be awarded 88 days of active duty needed to qualify for an active-duty retirement. The applicant's military personnel record has been reviewed by ARPC Retirements Eligibility section. A review of the applicant's Military Personnel

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[REDACTED]

Record shows that the member has a total of 33 years satisfactory military service, and a total of 19 years, 9 months, and 12 days of total active federal service (TAFMS). A total amount of 20 years of TAFMS is required to be eligible for an active duty retirement per Department of the Air Force Instruction (DAFI) 36-3203, *Service Retirements*, paragraph 3.1.1. The applicant is currently 88 days short of reaching active duty retirement eligibility. The member retired with a Reduced Retirement Pay Age (RRPA) Retirement on 1 Mar 22. The applicant was on active duty status before retiring and had over 18 years of TAFMS. The applicant claims he verbally requested sanctuary protection prior to his separation in 2021 and per DAFI 36-3203, the applicant qualified for active duty sanctuary. There is no evidence of the required sanctuary waiver being signed for the applicant's 1 Oct 21 – 1 Mar 22 orders.

Per AFI 36-2131, *Administration of Sanctuary in the Air Reserve Components*, paragraph 3.1. attachment 6, a member may not begin a tour without an approved waiver in place prior to the publication of any order. However, in paragraph 2.2 attachment 7, it states that, "Any error or breach of policy, with regard to sanctuary waivers, is avoided if the member (who is in or whose upcoming tour would place them in the sanctuary zone) has a signed/approved waiver in place prior to the tour start date for any *voluntary* tours of active duty." The applicant signed a sanctuary waiver in 2020 for a different set of voluntary Military Personnel Appropriation (MPA) orders. Therefore, the signed sanctuary waiver from 2020, where the applicant voluntarily waived his right to invoke sanctuary stands.

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 27 Jan 25 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/DPTT and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant was retired with an RRPA Retirement on 1 Mar 22, having completed 19 years, 9 months and 12 days of TAFMS. Members on active duty status with over 18 years of TAFMS must invoke sanctuary to qualify; however, in 2020 the applicant signed a waiver of active duty sanctuary in which he waived his right to invoke sanctuary. The applicant did not receive sanctuary, and his unit was correct in separating the applicant upon his High Year Tenure (HYT). 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.

[REDACTED]

## 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-2024-01704 in Executive Session on 5 Mar 25:

[REDACTED], Panel Chair  
[REDACTED], Panel Member  
[REDACTED], Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 17 Apr 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPTT, w/atchs, dated 24 Jan 25.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 27 Jan 25.

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.

4/18/2025

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[REDACTED]

Board Operations Manager, AFBCMR  
Signed by: USAF