

waiver of maximum service restrictions for retention in an active status to 28 Feb 27. On that same date, according to memorandum, *Waiver Request for Chaplain <applicant> to extend for 3 years beyond his MSD*, provided by applicant, the applicant requested HQ RIO/DET 5 CC extend his MSD due to shortage of IMA chaplains to fill all 23 O-6 billets.

On 18 Sep 23, according to memorandum, *Request for Retention under Title 10, United States Code 14703 <applicant>*, addressed to HQ RIO/DET 5 CC, provided by applicant, the WG/CC recommended approval for exception to policy waiver to extend the applicant's mandatory separation date from 29 Feb 24 to 29 Feb 27.

On 29 Feb 24, according to Reserve Order Work-Product dated 23 Sep 24, he was assigned to the Retired Reserve and placed on the USAF Reserve Retired List.

On 1 Mar 24, according to his Military Personnel Data System record, dated 23 May 25, reflects he was retired awaiting pay. Additionally, it reflects that he has 28 years of satisfactory service. Based on the applicant's date of birth, he is currently receiving retired pay.

On 7 Mar 24, according to memorandum, *Request for Retention under Title 10, United States Code 14703, <applicant>*, provided by applicant, the Air Force Reserve Command, Deputy Commander (AFRC/CD), recommended disapproval to extend applicant's MSD to 28 Feb 27 in "The Best Interest of the Air Force."

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

APPLICABLE AUTHORITY/GUIDANCE

According to **SAF/MRBP Memorandum, Delegation of Approval Authority for Retention of Chaplain and Officer in Medical Specialties Until Specified Age Under Section 14703 of Title 10, United States Code**, dated 2 Dec 22, the Director, SAF Personnel Council, delegated to the Chief, Air Force Reserves and the Director of the Air National Guard, the authority to approve retention of Air Reserve Component chaplains and officers in medical specialties to remain in an active status up to age 68, under the provisions of 10 U.S.C. § 14703. The Chief of the Air Force Reserve and Director of the Air National Guard may further delegate this approval authority, in writing, to the Vice Commander, Air Force Reserve Command, and the Commander, Air National Guard Readiness Center, respectively. Extensions may not exceed three years in length. Disapproval authority for requests under 10 U.S.C. § 14703 remains with SAF/MRBP and recommendations for disapproval will be forwarded to us for a final decision.

10 U.S. Code § 14703 - Authority to retain chaplains and officers in medical specialties until specified age, (a) Retention.—Notwithstanding any provision of chapter 1407 of this title and except for officers referred to in sections 14503, 14504, 14505, and 14506 of this title and under regulations prescribed by the Secretary of Defense—**(3)** the Secretary of the Air Force may, with the officer's consent, retain in an active status any reserve officer who is designated as a medical officer, dental officer, Air Force nurse, Medical Service Corps officer, biomedical sciences officer, or chaplain. **(b) Separation at Specified Age.**—**(1)** Subject to paragraph (2), an officer may not be retained in active status under this section later than the date on which the officer becomes 68 years of age.

Department of the Air Force Instruction 36-3203, Service Retirements, Table 5.2, Mandatory Retirement for All Reserve Officers, Note 5: *Retention of Health Professionals and Chaplains*

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under 10 USC § 14703. SecAF may, with the officer's consent, retain in active status medical and dental officers, AF nurses, chaplains, or individuals designated as biomedical sciences officers or medical service corps officers until age 68. Medical officers, on a case-by-case basis, may serve beyond the age of 68 if SecAF approves. The officer must initiate the request for retention and forward it through command channels to NGB/A1PP (for ANG officers) or Air Force Reserve Commander, Director of Manpower, Personnel and Services (AFRC/A1) (for AFR Officers). The request must be submitted at least six months prior to the officer becoming eligible for retirement. Refer to paragraph 5.2.5 for submission requirements.

AIR FORCE EVALUATION

HQ RIO/IRO recommends denying the applicant's request for MSD extension. Based on the documentation provided by the applicant and analysis of the facts there is no evidence of an error or injustice. The applicant contends that due to the lack of understanding of the MSD process by technicians at AFRC, his MSD waiver was not processed in a timely manner. He states he submitted his MSD waiver package on 20 Sep 23 for an MSD of 29 Feb 24. While he has email traffic acknowledging receipt of the waiver 27 days, and again 177 days, after it was submitted, the applicant found out on 30 Sep 24 that due to an administrative error, the MSD waiver was never routed to the approving authority, the Secretary of the Air Force (SecAF), for approval or disapproval and stopped at the Air Force Reserve Deputy Commander. ARPC/DPTT then informed the applicant via email that his MSD waiver would not be routed to SecAF as the OPR for MSD management, SAF Personnel Council (SAFPC), advised to not accept MSD extension requests for review once the MSD has passed.

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 21 Feb 25 for comment (Exhibit D), and the applicant replied on 3 Mar 25. In his response, the applicant contended the advisory fails to address what happened to his waiver request from when he submitted it in Sep 23 until his MSD on 28 Feb 24. The advisory also fails to note that he was in contact with RIO DET 5 and each time leadership assured him that the waiver was before SecAF when this was simply not the case. He followed the regulations and submitted his application based on the timeline provided by AFRC. When AFRC/CD signed the memorandum for SAF/MBR denying his waiver request, he and/or his advisors did not know the regulations. Additionally, this denial, based on AFRC-wide manning data, was not the basis for his MSD waiver request. The injustice due to this error has cost him, in pay and benefits, well over \$100,000 should he live to expected age of 84. Lastly, it is beyond calculation in hours that he has spent undoing all the implications of an incorrect retirement order, dated 23 Sep 24 which was rescinded on 25 Oct 24 and was never communicated to him, has caused mainly in correcting the loss of health care, debt collectors, refunds, resubmission of bills, repaying incorrect refunds, etc.

The applicant's complete response is at Exhibit E.

AIR FORCE EVALUATION

SAF/MRBP (SAF Personnel Council, SAFPC) recommends denying the requested MSD extension. While the evidence supports that the applicant submitted his MSD extension well within the required timeline, and the *Wor...* Air Base Wing Commander recommended approval and provided wing manning numbers to support the recommendation, the AFRC/CD recommended

denying the request and provided different manning numbers than those provided by the wing. The AFRC/CC, in his disapproval recommendation, indicated that the [Air Force Specialty Code] 52R, [Chaplain] manning was at 94 percent for the MAJCOM and the unit manning was at 100 percent and did not reference the unit manning numbers at the time of the applicant's MSD waiver submission. The evidence indicates that had the applicant's case been considered by SAFPC with the manning numbers at the time of his application versus one-year later, there would have been a better chance of favorable consideration. However, at this time, the manning numbers with the applicant's career field, 52R, are healthy

The complete advisory opinion is at Exhibit F.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 13 May 25 for comment (Exhibit G), and the applicant provided a response, dated 8 May 25, received on 11 Jun 25. In his response, the applicant contended that the injustice occurred due to AFRC's failure to act in a timely manner in processing his MSD request which resulted in his waiver never receiving consideration by the SAF Personnel Council. Had AFRC done their job and submitted his waiver request on time, as stated in the SAF MRPB advisory, "there would have been a better chance of a favorable consideration." This is the heart of his request. As such, he requests that his waiver package be allowed to go forward for SAF Personnel Council consideration so that he can make his case and point out the AFRC Deputy Commander's recommendation was made on the wrong set of data, namely the chaplain as a whole, rather than the unit's request, which is related to the shortfall in just colonel (O-6) chaplains.

The applicant's complete response is at Exhibit H.

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 HQ RIO/IRO and SAF/MRBP and finds a preponderance of the evidence does not substantiate the applicant's contentions. While the applicant contends AFRC's failure to process his MSD request within a timely manner is an injustice as it never received consideration by the SAF Personnel Council the Board disagrees. The Board notes that the governing instruction, DAFI 36-3203 states that requests must be submitted at least 6 months prior to becoming eligible for retirement. The applicant's MSD date was 29 Feb 24, and the applicant initially requested a waiver on 17 Aug 23. On 7 Mar 24, the Air Force Reserve Command Deputy Commander, disapproved the request based on the "best interest of the Air Force." While the date of the disapproval fell beyond the applicant's MSD, the Board finds that this delay did not result in an injustice as the Board further notes the applicant's request was in fact later reviewed and considered by Air Force Personnel Council who recommended to deny the MSD extension request as the manning numbers within his career field were healthy. Thus, the Board finds that the AFRC/CD decision to deny the MSD extension request was in accordance with established Air Force regulations and policies. Therefore, the Board recommends against correcting the applicant's records.

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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-2024-03583 in Executive Session on 18 Jul 25:

Work-Product

Panel Chair

Work-Product

Panel Member

Work-Product

Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 7 Sep 24.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, HQ RIO/IRO, dated 24 Jan 25.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Feb 25.

Exhibit E: Applicant's Response, dated 3 Mar 25.

Exhibit F: Advisory Opinion, SAF MRBP, dated 12 May 25.

Exhibit G: Notification of Advisory, SAF/MRBC to Applicant, dated 13 May 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.

7/30/2025

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Board Operations Manager, AFBCMR

Signed by: USAF

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