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

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-02056

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**COUNSEL:** NONE

**HEARING REQUESTED:** NO

**APPLICANT'S REQUEST**

He be credited with 33 additional days of Reserve service to qualify for a Reserve retirement in the rank/grade of colonel/O-6.

**APPLICANT'S CONTENTIONS**

After a 33-year career in the military, which began with an active Air Force enlistment, he retired on 1 November 2017—a date computed by the Air Reserve Personnel Center (ARPC). His 27 years of service in the Air National Guard (ANG) was a mixture of extended active duty for training, Active Guard Reserve, Military Personnel Appropriation, and dual status technician time. By 2015, he accumulated 20 years of active duty service and elected to defer retirement. In his final two years, his service concluded as a traditional Guardsman, while employed full time as an Air Force civil servant.

In January 2017, he requested an evaluation from ARPC regarding retirement options for an active duty retirement with eligibility for conversion to Reserve retirement at age 60 or reduced retirement age under Title 10 United States Code, Section 12741 (10 U.S.C. § 12741). It was clearly understood his active duty retirement beginning in 2017 would be in the grade of O-5 and ARPC would calculate an active duty retirement date to allow for a later conversion to Reserve retirement, under 10 U.S.C. § 12741, in the grade of O-6. ARPC computed dates for an active duty retirement of 1 November 2017 and Reduced Retired Pay Age at the highest grade held of 23 May 2023. The computations were performed by the same technician months prior to his retirement, and the active duty service totals published on his retirement order support the calculations. Based on this information, he retired on 1 November 2017.

In February 2023, in accordance with ARPC's instructions, he applied for Reserve retirement, and on 28 April 2023, he was advised he was ineligible for a conversion because he did not meet the requirement of 730 days of Reserve service. On 23 May 2023, the Deputy Chief of the ARPC Transition Division acknowledged the calculation error and inaccurate counseling he received, which caused his retirement date to be 33 days short to qualify for the conversion. Had this error occurred prior to retirement, his [State] ANG leadership would have enabled retention for the additional required time. Apart from scheduled Unit Training Assembly participation, no points are lacking, only 33 days in membership. Considering two years of forgone active duty retired

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pay and lifelong income stream at a lower retired pay grade, this error amounts to hundreds of thousands of dollars. Crediting these days would make him whole.

The applicant's complete submission is at Exhibit A.

## STATEMENT OF FACTS

The applicant is a retired ANG lieutenant colonel (O-5).

On 31 October 2017, according to Special Order [redacted] dated 22 May 2019, the applicant was honorably discharged from the [State] ANG in the grade of O-5.

On 1 November 2017, according to Reserve Order [redacted] dated 24 October 2017, the applicant was placed on the United States Air Force Retired List in the grade of O-5, pursuant to 10 U.S.C. § 8911. He was credited with 20 years, 3 months, and 16 days of total active service for retirement and 34 years, 5 months, and 15 days of total service for basic pay.

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 granting the application. A review of the applicant's military personnel record shows the applicant qualified for an active duty retirement, effective 1 November 2017, under the provision of 10 U.S.C. § 8911. On 6 April 2017, the applicant was advised he would have enough service in the Selected Reserve to meet the requirement of 10 U.S.C. § 12741 on 5 October 2017, if he did not perform any additional active duty service. Correspondence dated 18 August 2017, indicates the applicant was not Selective Retained by the ANG and the chain of command was dictating his retirement date to be 1 November 2017. The applicant requested to have his active duty retired pay converted to Reserve retired pay on 23 May 2023.

Per AFI 36-3203, *Service Retirements*, paragraph 8.7.3, retired active component members who complete two years (730 days) of Air Reserve Component (ARC) creditable service (minus active duty days) after completion of 20 years of total active federal military service (TAFMS) may convert their active duty retired pay to ARC retired pay (normally at age 60) under 10 U.S.C. § 12741. After a review of the applicant's service history, ARPC determined the applicant achieved exactly 20 years of TAFMS on 14 October 2015. From 15 October 2015 through 31 October 2017 (one day before his 1 November 2017 retirement effective date), the applicant served 746 days in the Selected Reserve and 53 days on active duty. Per AFI 36-3203, paragraph 8.7.3, a member must have two years of creditable service (730) minus active-duty days. As a result of this calculation, the member served 693 days of creditable Reserve service, rendering him ineligible for conversion of his retired pay.

However, there is evidence the applicant received erroneous information from an ARPC retirement technician. Should the Board grant the requested relief, the applicant must contact the Defense Finance and Accounting Service regarding debt relief since he will incur a debt for two months of retired pay. The applicant should also be aware that he will lose his Tricare eligibility by converting his Regular retirement prior to his 60th birthday and may be responsible for any services provided by Tricare prior to the conversion.

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 28 February 2024 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 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 substantiates the applicant's contentions. The applicant received erroneous information from ARPC regarding his retirement options, specifically, his eligibility date to convert his active duty retirement to a Reserve retirement under 10 U.S.C. § 12741, which ARPC advised was 1 November 2017. While the applicant had sufficient service for a Regular retirement as of 1 November 2017, he lacked sufficient service in the Selected Reserve to qualify for a Reserve retirement under the provisions of 10 U.S.C. § 12741. The miscalculation of service completed by ARPC led to the applicant retiring 33 days short of eligibility for a Reserve retirement. Had it not been for the misinformation, the Board finds it reasonable to believe the applicant would have requested a retirement date that allowed him to attain enough creditable service for a Reserve retirement. Therefore, the Board recommends correcting the applicant's records as indicated below.

### **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that:

- a. On 31 October 2017, he was not discharged from the ANG, but on that date, he continued his service through 31 December 2017.

b. On 1 January 2018, he was relieved from Reserve assignment, transferred to the Retired Reserve and placed on the United States Air Force Retired List in the grade of O-5, pursuant to 10 U.S.C. § 8911.

**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-2023-02056 in Executive Session on 28 March 2024:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 12 June 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPTT, w/atchs, dated 27 February 2024.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 28 February 2024.

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.

8/26/2025

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Board Operations Manager, AFBCMR  
Signed by: USAF