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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00073

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His official military record be corrected to reflect Reserve Retired status.

APPLICANT'S CONTENTIONS

When he requested to be separated, his unit did not process his retirement. He was put into a "discharge but pay eligible" status and should have been put into the Retired Reserve. He needs this corrected so he can apply for retirement. He indicated his date of separation was 10 Jan 17.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force Reserve technical sergeant (E-6).

On 8 Jan 22, ARPC/DPTT sent the applicant the standard Notification of Eligibility for Reserve retired pay (20-year letter) informing him he has completed the required years under the provisions of Title 10 U.S.C., Section 12731 and is entitled to retired pay upon application prior to age 60.

Dated 17 Jul 24, the applicant's Service History report indicates he has 21 years, 9 months, and 7 days of satisfactory service.

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

APPLICABLE AUTHORITY/GUIDANCE

Per AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, dated 14 Apr 05, incorporating changes through 20 Sep 11, paragraph 1.2.1, *Former Members*, previous policy allowed Air Force Reserve members who chose discharge instead of transfer to the Retired Reserve to be reappointed or reenlisted for the purpose of transfer to the Retired Reserve any time prior to age 60. These members became eligible for partial use of some benefits prior to age 60, and upon attainment of age 60, they were eligible for full benefits

AFBCMR Docket Number BC-2024-00073

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Controlled by: SAF/MRB

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whether they were reaffiliated or not. This criterion has changed. Members who are discharged today, instead of retired, will not be allowed to reaffiliate and will only be entitled to retired pay and medical care at age 60. These former members and their eligible family members will be issued the DD Form 1173, *Uniform Service Identification and Privilege Card*, on the member's 60th birthday. All members who are eligible for transfer to the Retired Reserve and choose discharge must be formally counseled concerning this policy and its effects on their benefits.

AIR FORCE EVALUATION

ARPC/DPTT recommends denying the applicant's request to be transferred to the Retired Reserve List (RRL) finding no evidence of an error or injustice on the part of ARPC. The applicant was not transferred to the retired reserve before separation; however, the applicant did receive their 20 year of satisfactory service letter and is eligible for retired pay under 10 U.S.C. 12731, *Age and Service Requirements*, usually the member's 60th birthday. The applicant can submit a retirement application via MyFSS for quality review and processing.

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 15 Aug 24 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. While the Board notes the recommendation of ARPC/DPTT against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. The Board finds, if the applicant had known the proper procedures for the retirement application process, he would have adhered to them since he served sufficient time to be eligible for a Reserve retirement. To deny relief in this circumstance would be to place form over substance, to the detriment of the applicant. Therefore, the Board recommends correcting the record as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he was not discharged from the Air Force Reserve on 10 January 2017, but on that date, he was assigned to the Retired Reserve Section, his name was placed on the Retired Reserve List, and he was eligible for retired pay at age 60, under the provisions of Title 10, United States Code, Section 12731.

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-2024-00073 in Executive Session on 26 Sep 24:

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, dated 17 Dec 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPTT, w/atchs, dated 15 Jul 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 15 Aug 24.

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.

9/29/2025

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Board Operations Manager, AFBCMR
Signed by: Work-Product