



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER:

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His date of rank (DOR) and effective date for promotion to the grade of lieutenant colonel (O-5) be 19 Jul 19, instead of 25 Mar 21.

APPLICANT'S CONTENTIONS

He requests the decision in his AFBCMR Case BC-2018-01318 awarding him constructive service credit (CSC) for promotion to the grade of major (O-4) with DOR of 19 Jul 13 be extended to his promotion to the grade of O-5. It took almost two years for the AFBCMR to grant his request. This left him with insufficient time to complete Air Command and Staff College (ACSC) and he did not have an appropriate officer performance report (OPR) for the promotion board to review. He was promoted to the grade of O-5 but his DOR is 25 Mar 21, instead of 19 Jul 19, six years from the DOR approved by the Board. He is a qualified periodontist and his DOR for O-5 should be 19 Jul 19 based on the decision of the AFBCMR in his prior case.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving lieutenant colonel (O-5) in the Air Force.

On 9 Aug 17 (BC-2018-01318), the applicant requested he be awarded sufficient CSC for entry on active duty in the grade of O-4, instead of captain (O-3). On 29 May 19, the Board recommended the applicant be awarded sufficient CSC (12 years and 23 days) for entry into the Air Force in the grade of O-4. Since the applicant was already in the grade of O-4, with date of rank 19 Jul 17, the Board recommended his current DOR and effective date for O-4 be backdated with DOR of 19 Jul 13 and effective date for promotion of 12 Aug 15. On 7 Aug 19, SAF/MRB signed the directive for award of sufficient CSC to qualify his DOR for O-4 of 19 Jul 13 and effective date for promotion of 12 Aug 15.

Per Special Order dated 26 Nov 19, AFPC revoked and corrected the applicant's promotion order to major per BC-2018-01318.

On 26 Feb 20, AFPC/DP2SPP informed the applicant AFPC was directing a special selection board (SSB) for his promotion by the CY18A and CY19A Lieutenant Colonel Dental Corps (DC)

AFBCMR Docket Number BC-2023-01732

Controlled by: SAF/MRB

Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

[REDACTED]

Central Selection Boards (CSB) due to the AFBCMR adjusting his DOR making him eligible for the boards.

On 9 Apr 20, AFPC/PBX informed the applicant he was scheduled to meet the 26 May 20 SSB for the CY18A Lieutenant Colonel Dental Corps (DC) CSB, which convened on 10 Sep 18. The applicant was informed he could submit a letter to the board per AFI 36-2501, *Officer Promotions and Selective Continuation*.

The applicant provides copies of letters he wrote to the SSB, in which he documented his AFBCMR correction and his enrollment in ACSC and timeline for completion.

The applicant provides Air University Certificate showing he completed ACSC by distance learning effective 2 Dec 20.

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

AIR FORCE EVALUATION

AFPC/DPMSPP recommends denial for retroactive correction of his DOR for grade of O-4. The applicant is not entitled to retroactive adjustment of his DOR for O-5 based on his conclusion a previously authorized adjustment of his DOR for O-4 left him with inadequate time to complete professional military education (PME) or have his OPR properly represented.

On 26 May 20, an SSB was conducted considering the applicant for promotion within the M0518A CSB. The results of the SSB concluded he was not selected for promotion to the grade of O-5. On 14 Sep 20, a SSB was conducted to consider the applicant for promotion within the M0519A CSB, again the applicant was not selected. Also on 14 Sep 20, the applicant was considered by the M0520A CSB. The applicant was selected for promotion to the grade of O-5 within the M0520A CSB. His DOR for O-5 is consistent with his selection to O-5 within the M0520A CSB.

Per 10 U.S.C § 614b, any officer eligible for consideration by a SSB convened under 10 U.S.C. § 611a, may send a written communication to the board, calling attention to any matter concerning himself that the officer considers important to his case. DAFI 36-2501, paragraph 2.10 further outlines guidance in association to an officer's eligibility to write a letter to the board. Upon researching the applicant's officer selection record (OSR), the boards were aware of the applicant's circumstance. This conclusion is based on the personal letters supplied to the M0518A and M0519A SSBs. Within these letters, he highlighted the considerable circumstances. Despite arming the boards with this information, the applicant was nonselected within the M0518A and M0519A promotion boards.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 5 Sep 23 for comment (Exhibit E) but has received no response.

FINDINGS AND CONCLUSION

- [REDACTED]
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 AFPC/DPMSP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant contends his DOR for O-5 should be backdated due to his prior AFBCMR correction taking almost two years, which limited his time to complete ACSC by correspondence and receive a commensurate level OPR; however, the Board finds the applicant's argument is without merit. In this respect, the Board notes the applicant was already in the grade of O-4 at the time the AFBCMR corrected his records in BC-2018-01318; therefore, the correction of his records did not impact his opportunity to enroll in and complete ACSC by correspondence or be issued an OPR in the grade of O-4. As pointed out by AFPC/DPMSP, the applicant was also properly considered by a SSB for the M0518A and M0519A promotion boards and was not selected. Therefore, the Board recommends against correcting the applicant's records.
 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-2023-01732 in Executive Session on 5 Dec 23:

[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 23 May 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: AFBCMR Directive/ROP (BC-2018-01318), dated 7 Aug 19.
- Exhibit D: Advisory Opinion, AFPC/DPMSP, dated 29 Aug 23.
- Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 5 Sep 23.

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.

5/5/2025

X

Board Operations Manager, AFBCMR

Signed by:

AFBCMR Docket Number BC-2023-01732