



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

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2024-01619

**COUNSEL:** NONE

**HEARING REQUESTED:** YES

**APPLICANT'S REQUEST**

Twenty-two (22) days of leave be restored to his leave account.

**APPLICANT'S CONTENTIONS**

He was diagnosed with stage 3B colorectal cancer in October 2022. He spent 12 months undergoing extensive treatments and a Medical Evaluation Board (MEB). In October through November, he was hospitalized for two weeks and was on convalescent leave recovering from a colostomy surgery. From December 2022 through March 2023, he was in chemo and from April through May he had radiation and chemo therapies. In June 2023, he was on convalescence leave recovering from treatment. In July, he had an extensive colon reconnection surgery. He took regular leave in August. In September 2023, he had an ileostomy take-down surgery. From May to September 2023, he underwent a Medical Evaluation Board (MEB) with numerous medical appointments and had limited ability to take leave due to the uncertainty and likelihood of an unplanned medical retirement. Subsequently, he was retained in September 2023, but it was near the end of the fiscal year (FY) for him to effectively use his leave.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

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

A letter from the Quality Deputy Director of Medicine at the Defense Health Agency, Walter Reed National Military Medical Center, dated 22 April 2024 provided by the applicant, states he was under care for stage 3B colorectal cancer. Due to medical treatments and intervention the applicant was unable to plan and execute leave during FY23, resulting in a loss of leave.

A Medical Standard document dated 6 September 2023, provided by the applicant, reflects he was returned to active duty with Assignment Limitation Code C (ALC). All restrictions and holds imposed by RILO/MEB/PEB processing were to be removed. The applicant was found fit for duty by the Informal Physical Evaluation Board (IPEB).

According to DFAS Form 702, *Defense Finance and Accounting Service Military Leave and Earnings Statement*, for the period 1 – 30 September 2023, provided by the applicant, shows a Use/Lose leave balance of 22.0 days.

According to DFAS Form 702, *Defense Finance and Accounting Service Military Leave and Earnings Statement*, for the period 1 – 31 October 2023, provided by the applicant, shows a lost leave balance of 22.0 days.

**AFBCMR Docket Number BC-2024-01619**

Controlled by: SAF/MRB

Limited Dissemination Control: N/A

POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

[REDACTED]

According to the applicant's Master Military Pay Account (MMPA), he lost 22.0 days of leave for the Fiscal Year 2023 (FY23).

The applicant provided a memorandum from his commander dated 3 April 2024, approving the applicant's request for SLA for the FY 2023.

On 9 April 2024, a Case Management System (CMS) request was opened. The applicant requested SLA for 22.0 days of leave lost during FY 2023. On 24 April 2024, the CMS request was denied. It was determined the applicant did not qualify for special leave accrual.

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

### **APPLICABLE AUTHORITY/GUIDANCE**

Title 10, United States Code, Section 701: Entitlement and accumulation; Title 10, U.S.C. § 1552: Correction of military records: claims incident thereto; Department of the Air Force (DAFI) 36-3003, Military Leave Program; AFI 36-2603, Air Force Board for Correction of Military Records; Total Force Military Leave Program Personnel Services Delivery Guide.

Special Leave Accrual (SLA) allows members in qualifying duties to accumulate leave in excess of 60 days. SLA should be a result of the member's inability to take leave or to reduce their leave balance to 60 days before the end of the fiscal year while being assigned to said duties. SLA shall not be used as a means to authorize the accumulation of leave in excess of 60 days that is a result of members' failure to properly manage their leave balance.

Members not eligible for SLA can request recovery of days lost by submitting a DD Form 149, Application for Correction of Military Records, and must clearly establish that an error or injustice by the Air Force that caused their lost leave.

### **AIR FORCE EVALUATION**

AFPC/DPMSSM recommends granting the application. Based on the documentation submitted by the applicant and careful analysis of the pertinent facts, it has been determined there is sufficient evidence to support the restoration of 22.5 [sic] days of leave. The applicant was unable to exhaust leave due to critical medical treatment and recovery.

The applicant was diagnosed with Stage 3B Colorectal Cancer in October 2022. Due to medical intervention that resulted in hospitalizations in October 2022, July 2023, and September 2023. The applicant was also undergoing chemo and radiation therapy from December 2022 to June 2023 and was subsequently on convalescent leave for recovery. This resulted in the applicant losing 22 days of leave.

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 6 August 2024 for comment (Exhibit D) but has received no response.

The applicant's complete response is at Exhibit



[REDACTED]

## 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 AFPC/DPMSSM and finds a preponderance of the evidence substantiates the applicant's contentions. AFPC/DPMSSM determined there is sufficient evidence to support restoral of 22.0 days of leave. Therefore, the Board recommends correcting the applicant's records as indicated below.
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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show twenty-two (22.0) days of leave be added to his current leave balance.

## 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-2024-01619 in Executive Session on 8 October 2024:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 2 May 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, dated 1 August 2024.
- Exhibit D. Notification of Advisory, SAF/MRBC to Applicant, w/atch, dated 6 August 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.

4/29/2025

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Board Operations Manager, AFBCMR  
Signed by: [REDACTED]