



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01962

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

1. He receive pay and points beginning 1 Oct 21.
2. He be promoted to the grade of master sergeant (E-7).
3. The Prior Service Condition (PSC) determination memorandum dated 18 Aug 23, be corrected to show his Autosomal Dominant Polycystic Kidney Disease, (ADPKD), sleep apnea, and herniated lumbar disc were duty related, and his case be referred to the Physical Evaluation Board (PEB) for a medical retirement.

APPLICANT'S CONTENTIONS

Based on a medical misdiagnosis and threats for his immediate discharge, he resigned a permanent Active Guard Reserve (AGR) position. His ADPKD, sleep apnea and herniated lumbar disc are duty related conditions that were incurred while on permanent AGR orders. The medical group delayed submission of medical documentation for over two years. As a result, his PSC package lacked many of the details regarding his full conditions and extent of his injuries/disabilities. He should be promoted because he was eligible prior to the medical diagnosis.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard technical sergeant (E-6).

On 27 Aug 21, according to Special Order **Work-Product** provided by the applicant, the end date of his AGR tour was changed from 14 Jan 23 to 30 Sep 21.

On 18 Aug 23, according to a memorandum provided by the applicant, NGB/SGPS reviewed the applicant's PSC case for **Work-Product**, sleep apnea, and herniated lumbar disc, and found the conditions to be PSC not applicable. The applicant was recommended for further processing through the PEB for a Fitness for Duty determination for ADPKD.

For more information, see Exhibits B and C.

AFBCMR Docket Number BC-2024-01962



AIR FORCE EVALUATION

NGB/A1PP recommends denying the applicant's request for pay/points and a promotion. There is no evidence of an error or injustice. Based on the source documents provided, the applicant voluntarily sought to resign from the AGR program. There is no substantiating evidence the applicant was threatened with discharge actions or bullied into resigning from the AGR program. IAW DAFI 36-2502, *Enlisted Airman Promotion and Demotion Programs* "The fact a member meets each of the eligibility criteria outlined in this instruction does not automatically guarantee promotion to the next higher grade. Meeting minimum eligibility criteria only indicates that a member can be considered eligible for promotion. Promotion is not a reward for past performance, but recognition of the member's potential to successfully serve in the higher grade."

The complete advisory opinion is at Exhibit B.

NGB/SGPS recommends denial of the applicant's request to correct the PSC determination memorandum to show his medical conditions were duty related, and to refer his case to the PEB for a medical retirement. On 18 Jul 23, a PSC package was submitted for the applicant's ADPKD, sleep apnea and herniated lumbar disc. On 18 Aug 23, NGB/SGPS found the applicant's ADPKD, sleep apnea and herniated lumbar disc conditions to be PSC not applicable and recommended the applicant's ADPKD for further processing through the PEB for a Fitness for Duty determination. The applicant's sleep apnea and herniated lumbar disc were not considered to be unfitting conditions. There is no appeal process for PSC determinations. The applicant will have an appeal option upon the completion of the PEB disposition.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent copies of the advisory opinions to the applicant on 11 Feb 25 for comment (Exhibit D) and the applicant replied on 11 Mar 25. In response, the applicant contends, the ANG continues to treat him like he is not being truthful about his medical status. He is still on a profile which prevents him from promoting or moving. He was contacted by the Military Personnel Flight to elect a non-duty DES process, without informing him of the consequences. He has fought against this because it could potentially take away his medical benefits. He is scheduled for a transplant and bi-lateral nephrectomy on 18 Apr 25. He also received a 100 percent disability rating from the VA.

The applicant's complete response is at Exhibit E.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all other available administrative remedies 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 recommendations of NGB/A1PP and

[REDACTED]

c [REDACTED]

NGB/SGPS and finds a preponderance of the evidence does not substantiate the applicant's contentions. While the Board sympathizes with the applicant's medical condition and notes that the DES process can be lengthy, the evidence provided by the applicant is insufficient to justify overturning the PSC decision. The Board finds that the applicant was given fair consideration for his PSC and does not find an error or injustice with the PSC findings that his ADPKD is an inherited condition, his Sleep Apnea is not linked to his active duty service, and his lumber herniated disc was incurred or worsened by his military service. Furthermore, the Board finds no evidence that the applicant was forced to curtail his orders and opines that promotion is not automatic and simply meeting the eligibility criteria does not justify promotion to the next higher grade. 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-2024-01962 in Executive Session on 27 Mar 25:

[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 30 May 24.
Exhibit B: Advisory Opinion, NGB/A1PP, w/atchs, dated 6 Aug 24.
Exhibit C: Advisory Opinion, NGB/SGPS, dated 30 Jan 25.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 11 Feb 25.
Exhibit E: Applicant's Response, w/atchs, dated 11 Mar 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.

9/27/2025

[REDACTED]

AFBCMR Docket Number BC-2024-01962

[REDACTED]