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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-03430

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be awarded 50 points for his Retention/Retirement (R/R) years of service from 2016 to 2020.

APPLICANT'S CONTENTIONS

He requests the points so he may have at least 20 satisfactory years of service to apply for a Reserve retirement when he turns 60 years old.

While researching his records for an unrelated AFBCMR case, he learned in Jul 24 he was promoted to the grade of lieutenant colonel (O-5), effective 1 Oct 19. Although his contact information was correct and up to date, he was never notified he was promoted in 2019. He could have participated as a Reservist and earned the 50 points per year to reach 20 years of satisfactory service had he been properly made aware.

As it stands, with a mandatory separation date (MSD) of 1 Sep 28, he no longer has enough time to reach 20 years of service. This is an injustice. If the Air Force Reserve deemed he was qualified to lead in the grade of O-5, he should have been given the opportunity. The injustice has caused him opportunity for further service, assignments, deployments and retirement.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve lieutenant colonel (O-5).

On 24 Aug 17, the applicant was notified of his second deferral for promotion to the grade of O-5. As a result, in accordance with 10 U.S.C. § 14506, he was required to be discharged on his MSD of 1 Sep 20.

Per Reserve Order dated 24 Aug 17, the applicant was assigned to the Non-Affiliated Reserve Section (NARS-NA) on 24 Aug 17 due to his promotion deferral.

Per Reserve Order dated 1 Oct 19, the applicant was promoted in the Reserve of the Air Force to the grade of O-5, with date of rank (DOR) and effective date for promotion of 1 Oct 19.

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

AIR FORCE EVALUATION

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ARPC/DS-CI recommends granting the applicant's request for an award of 35 additional non-paid equivalent training points and 15 membership points for his R/R year 26 Jul 16 to 25 Jul 17, 26 Jul 17 to 25 Jul 18, 26 Jul 18 to 25 Jul 19 and 26 Jul 19 to 25 Jul 20 for an additional four years of career satisfactory service. There is evidence of errors and injustice, to include: (1) The applicant met a promotion board and was selected for promotion to the grade of O-5. (2) ARPC did not discharge him on 1 Sep 20. (3) ARPC updated his MSD to 1 Sep 28.

ARPC does not notify officers of promotion. This is the responsibility of the officer's assigned commander and it is ultimately the officer's responsibility for knowing what is going on with their record and career. The applicant was placed into the NARS-NA on 24 Aug 17 and should not have met a promotion board in 2019. The applicant was then not separated on his MSD of 1 Sep 20 and when he was promoted in 2019, his MSD was updated to 1 Sep 28. The Military Personnel Data System (MilPDS) reflects his MSD is 1 Sep 28.

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 20 Feb 25 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 not the victim of an error or injustice. While the Board notes the comments of ARPC/DS-CI is in favor of granting relief, the Board believes a preponderance of the evidence fails to substantiate the applicant's contentions. Based on the evidence, it appears the applicant should have been discharged on 1 Sep 20 in accordance with 10 U.S.C. § 14506 due to his twice promotion deferral to the grade of O-5 and MSD. However, for reasons unknown to the Board, the applicant was not discharged but considered by a promotion board when he was not eligible, selected for promotion to the grade of O-5 and his MSD was extended to 1 Sep 28. While the applicant contends it was an error and injustice that he was not notified of his promotion selection so he could continue to participate and potentially earn a Reserve retirement, the Board disagrees. Had it not been for the error, the applicant would have been discharged on 1 Sep 20 rather than placed on the Reserve Retired List. Moreover, the Board does not find it in the interest of justice to credit the applicant for a period of service he did not serve solely to permit entitlement to a Reserve retirement he did not earn through service. Therefore, the Board recommends correcting the applicant's records as indicated below.

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

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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-2024-03430 in Executive Session on 30 May 25:

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Panel Chair
Panel Member
Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 25 Sep 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DS-CI, dated 14 Feb 25.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 20 Feb 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.

6/15/2025

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