

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01778
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be promoted to the grade of major with a date of rank (DOR) of 6 May 06.

APPLICANT CONTENDS THAT:

1. His name "slipped through the cracks" during the last specialty selection board (Sep 11) and he was not considered for promotion to the grade of major.
2. As a Surgeon General in the Air Force, promotion to the grade of major is six-years from the date of medical school graduation. Therefore, according to his squadron commander he should have been promoted, effective 6 May 06.

In support of his request, the applicant provides a copy of a Single Unit Retrieval Format (SURF).

The applicant's complete submission, with attachment, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving on active duty in the grade of captain.

On 15 Aug 11, the applicant entered active duty (EAD) as a captain, with a DOR of 6 May 06. Based on his EAD and DOR, he should have been eligible for the CY11A Major Medical Corps (MC) Central Selection Board (CSB) which convened on 12 Sep 11.

AFPC/DPSIVP, Accessions and Service Verification Section, has 120 days in which to verify an officer's service dates once they enter on active duty. As of 12 Sep 11, the applicant's service dates were not verified. Since, they did not know what his actual DOR would be; they could not build him to a board.

On 20 Sep 11, AFPC/DPSIVP verified the applicant's service dates.

AIR FORCE EVALUATION:

AFPC/DPSOO recommends denial. DPSOO states it is not unusual for Health Professions officers with constructive service credit who enter active duty within 120 days of a CSB, to be ineligible to meet a board because their service dates are not verified. Once verified, if its determined that a board was missed, DPSOO automatically schedules them for a Special Selection Board (SSB) for the board that was missed.

Officers who miss CSBs because of unverified service dates are entitled to SSB consideration for the board they missed. DPSOO has requested SSB consideration and the applicant will meet an SSB being held in conjunction with the CY12A Major MC CSB scheduled to convene on 17 Sep 12. If the applicant is selected for promotion to major, he will pin-on once the CSB is confirmed by the Senate, with a DOR and effective date of 6 May 12. He will be entitled to all back pay and allowances.

Although the promotion opportunity is 100 percent, promotion is not automatic and the applicant must meet a board.

The complete DPSOO evaluation is at Exhibit B.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 6 Aug 12 for review and comment within 30 days (Exhibit C). As of this date, this office has not received a response.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. In that regard we are aware the applicant met an SSB in September 2012 and has been promoted to major with a DOR of 6 May 2012. Although it appears the applicant believe he should have been promoted to

the grade of major with a DOR of 6 May 2006, he has not provided evidence that supports such an adjustment to his DOR nor are we aware of any policy that would warrant changing his DOR to a date earlier than 6 May 2012. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered Docket Number BC-2012-01778 in Executive Session on 24 Jan 13, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 24 May 12, w/atch.
- Exhibit B. Letter, AFPC/DPSOO, dated 24 Jul 12.
- Exhibit C. Letter, SAF/MRBR, dated 6 Aug 12.

Panel Chair