

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02209

COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He receive a direct promotion to the grade of colonel/O-6.

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APPLICANT CONTENDS THAT:

He was recently passed over for promotion to O-6 due to severe extenuating circumstances. His passover stemmed from his lack of Professional Military Education (PME) commensurate with his rank. His lack of PME had a detrimental effect on his promotion recommendation form (PRF). He received a "Promote" instead of "Definitely Promote." He was ranked #1 among his peers seven times, received the Airman's Medal, the Montana Medal of Valor for heroism, and received gubernatorial recognition for leadership/excellence by two governors. There is no doubt in his mind had he completed PME he would be an O-6.

The severe extenuating circumstances began just before he pinned on O-5. A pedophile stalked his teenage daughter, gained entry into their home and violently raped her. He then posted the photos of the crime on the internet. Over time, he was arrested, brought to trial and convicted. The conviction did little to aid the family's suffering. His daughter lost all self-esteem and withdrew from life completely. His teenage son began to experiment with drugs. The entire family blamed themselves. What they lived through for four years is beyond comprehension. PME or any other form of homework was simply out of the question. His main focus was holding his family together.

Despite everything he went through at home, he personified service before self. He continuously performed ahead of his peers. He believes he has proved beyond a shadow of a doubt that he is O-6 material. He asks the Board to excuse his lack of PME based on these severe extenuating circumstances and award his promotion to O-6.

In support of his appeal, the applicant provides a personal statement and AF Form 709, *Promotion Recommendation*.

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

STATEMENT OF FACTS:

The applicant is a lieutenant colonel in the Regular Air Force.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the Air Force office of primary responsibility which is at Exhibit C.

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AIR FORCE EVALUATION:

ARPC/DPSOO recommends denial of a direct promotion to colonel. The applicant has two non-selections to the grade of colonel by the CY10C P0610C (In-the-Promotion-Zone - IPZ) and CY11B P0611B (Above-the-Promotion-Zone - APZ) colonel central selection boards.

The results of the P0611B APZ Colonel CSB were based on a complete review of the applicant's entire selection record, assessing the whole person factors such as job performance, professional qualities, depth and breadth of experience, leadership and professional development. The Board is instructed that "while developmental education should not be a pass-fail item in your assessment of an officers potential for promotion, the AF considers it important and encourages all officers to complete it." Although the officer may be qualified for promotion, he may not be the best qualified of eligible officers competing for the limited number of promotion vacancies. A direct promotion would be unfair to all other officers who have extremely competitive records but did not get promoted.

Eligible officers meeting a board have the option to submit a letter to the board president addressing any matter of record concerning themselves that they believe is important to their consideration for promotion. The applicant wrote a letter to his P0611B APZ Board explaining the severe extenuating circumstances, but not to his P0610C IPZ Board.

Congress and the Department of Defense have made it clear that errors ultimately affecting promotion should be resolved through the use of special selection boards. After careful review of this application, the most fair and practical remedy is to grant a special selection board by the P0610C Colonel CSB to allow the applicant the opportunity to write a letter to the board explaining the extenuating circumstances that led to his lack of PME.

The complete DPSOO evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 2 July 2012, for review and comment within 30 days (Exhibit D). As of this date, this office has received no response.

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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 an error or an injustice to warrant his direct promotion to the grade of colonel. In this regard, the Board observes that officers compete for promotion under the whole person concept whereby many factors are carefully assessed by selection boards. An officer may be qualified for promotion but, in the judgment of a selection board vested with the discretionary authority to make the selections, may not be the best qualified of those available for the limited number of promotion vacancies. Therefore, in the absence of evidence that he would have been a selectee had his folder contained a letter to the Central Selection Board (CSB), we believe that a duly constituted selection board applying the complete promotion criteria is in the most advantageous position to render this vital determination, and that its prerogative to do so should only be usurped under extraordinary circumstances.
4. Notwithstanding the above, sufficient relevant evidence has been presented to demonstrate the existence of an injustice warranting the applicant's promotion consideration by a Special Selection Board for the Calendar Year 2010C (P0610C) Colonel CSB, provided he submits a letter to the P0610C CSB. In this respect, we agree with the Air Force office of primary responsibility that the most fair and practical remedy is to grant an SSB with the applicant being provided an opportunity to write a letter to the Board explaining the extenuating circumstances that began just before he pinned on O-5. Accordingly, we recommend the applicant's records be corrected to the extent indicated below.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that, provided he submits a letter to the Calendar Year 2010C (P0610C) colonel Central Selection Board (CSB), his record be considered for

promotion to the grade of colonel by a Special Selection Board for the P0610C CSB.

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The following members of the Board considered AFBCMR Docket Number BC-2012-02209 in Executive Session on 18 December 2012, under the provisions of AFI 36-2603:

, Panel Chair  
, Member  
, Member

All members voted to correct the records, as recommended. The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-02209 was considered:

Exhibit A. DD Form 149, dated 21 May 12, w/atchs.  
Exhibit B. Applicant's Master Personnel Records.  
Exhibit C. Letter, AFPC/DPSOO, dated 20 Jun 12.  
Exhibit D. Letter, SAF/MRBR, dated 2 Jul 12.

Panel Chair