

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-02412

XXXXXXX

COUNSEL: XX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be considered for promotion to the grade of lieutenant colonel (0-5), by a special selection board (SSB) for the CY21B Line of the Air Force Lieutenant Colonel Central Selection Board (P0521B) and his 2021 Officer Performance Report for the period 5 Feb 20 – 4 Feb 21, be included and considered by the CY21B SSB.

APPLICANT'S CONTENTIONS

His OPR for the period of 5 Feb 20 to 4 Feb 21 closed out prior to the start date of the promotion board. However, due to administrative delays it failed to be signed and posted to his records prior to the board convene date. As such, the board did not have the opportunity to view his full record and he was denied fair consideration for promotion.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force major (O-4).

According to PSDM 20-89, dated 8 Oct 20, *CY21B Lieutenant Colonel Line of the Air Force Air Operations and Special Warfare (LAF-A), Line of the Air Force Nuclear and Missile Operations (LAF-N), Line of the Air Force Information Warfare (LAF-I), Line of the Air Force Combat Support (LAF-C), Line of the Air Force Force Modernization (LAF-F), and Nurse Corp (NC) (P0521B) Central Selection Boards* was scheduled to convene on 8 Mar 21.

According to PSDM 20-89, the following milestones apply:

7 Jan 21 – 27 Jan 21: Management Level Reviews (MLRs) and PRF completion.

8 Mar 21: Board convenes at HQ AFPC.

On 18 Mar 21, the applicant and his wing commander (senior rater) signed his OPR for the period of report, 5 Feb 20 – 4 Feb 21.

On 21 Jul 21, according to the screenshot provided by the applicant, he submitted a request to the Evaluation Report Appeals Board (ERAB) for a supplemental board for P0521B. The ERAB denied his request and stated that the board was not convinced that there was an error or injustice. The rationale for the denial of the request specifically states:

“IAW DAFI 36-2406, an OPR is required if closeout date is more than 60 days prior to the convening of a promotion board. In this case appears the OPR closeout date was within the 60 days and therefore was not required. The 60 days is to allow processing of the OPR thru the administrative channels. The justification presented does not indicate

there was an error/injustice as other officer across the Air Force also had OPRs closeout within this 60 day window. Accordingly, the board disapproves the request to change the signature date of the OPR or to substitute subject OPR as appears the subject OPR was processed IAW DAFI 36-2406.”

For more information, see the excerpt of the applicant’s submission at Exhibit A and applicant’s record at Exhibit B

APPLICABLE AUTHORITY/GUIDANCE

DAFI 36-2406, *Officer and Enlisted Evaluation System*, 14 Nov 19, Paragraph 1.4, *Preparing and Processing Evaluation*, OPRs are due to the military personnel flight (MPF) no later than 30 calendar days after close-out and will be filed in the Automated Records Management Systems/Personnel Records Display Application (ARMS/PRDA) no later than 60 calendar days after close-out. Finally, in accordance with paragraph 1.4.3, an evaluation becomes a matter of record once they are uploaded into ARMS/PRDA. This is further codified by paragraph 3.9.8, *Routing Evaluations*, which states that performance evaluations are due to the servicing MPF or personnel activity 30 days after close-out, and to the office of record 60 days after close-out.

Paragraph 3.6. Annual Reports. Officer’s reports will close-out one year from the close-out date of the last evaluation.

Chapter 8, *Promotion Recommendation and Management Level Review Process*, paragraph 8.1 states that the purpose of the promotion recommendation process is to provide performance based differentiation to assist the CSBs. The officer’s senior rater completes the PRF no earlier than 60 days prior to the CSB and reviews the officer’s record before preparing the PRF. The senior rater may consider other reliable information about duty performance and conduct such as draft OPRs. The intent of the “other reliable information” passage is to allow senior raters to comment on performance accomplishments since the close-out of the last evaluation. This allows the senior rater who has personal knowledge of an accomplishment to comment about it in the PRF although not part of the official record. To reference the “other reliable information” in their record, the officer meeting the board may submit a letter to the CSB.

Additionally, paragraph 8.1.4.5, states that prior to the CSB, the ratee must contact the senior rater to discuss any inaccuracies, omissions or errors pertaining to their PRF in addition to ensuring that their record is current and accurate. Lastly, they may correspond by letter to the CSB and address any matter of record concerning themselves that they believe important to their consideration.

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. The Board concurs with the rationale and recommendation of the ERAB and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board notes, that while the applicant’s OPR closed out on 4 Feb 21, prior to the 8 Mar 21 convene date of the P0521B promotion board, the OPR had not yet become an official matter of record. In accordance with AFI 36-2406, since the time for processing the OPR is up to 60 days after close-out there is no evidence of an error or injustice when his OPR was not included with his promotion board package. Furthermore, there is nothing unique to the applicant’s circumstances

than that of other similarly situated officers who are meeting their promotion board. Therefore, the Board recommends against correcting the applicant's records.

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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-02412 in Executive Session on 8 Nov 22:

- , 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 14 Jul 21.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

X

Board Operations Manager, AFBCMR