

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03839

XXXXXXXXXXXXXX

COUNSEL: XXXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be provided special board (SB) consideration for a Position Vacancy (PV) promotion to Major (0-4) for the CY 22 Air Force Reserve Line and Nonline Major PV Promotion Selection Board (U0422A).

APPLICANT'S CONTENTIONS

He met all the requirements for the CY22 USAFR Line and Nonline Major Position Vacancy (PV) Promotion Selection Board (U0422A) but his unit commander failed to submit his promotion recommendation (PRF) by the deadline.

In support of his contentions, the applicant provides a PRF and memoranda from his senior rater who verified that due to no fault of the applicant, the PRF was not timely submitted.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve captain (0-3).

On 10 Dec 21, AF Form 709, *Promotion Recommendation*, provided by the applicant, was signed by his senior rater, and indicates that he was to be submitted for promotion consideration under the U0422A PV promotion selection board.

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

AIR FORCE EVALUATION

ARPC/PB recommends approval. The applicant was eligible to meet the CY22 USAFR Line and Nonline Major PV Promotion Selection Board and has provided a signed memorandum from the applicant's senior rater, stating that due to no fault of the applicant his PRF was not submitted in a timely manner. Since the applicant was otherwise eligible to meet the PV promotion selection board and has provided a memorandum stating why his PRF was not submitted on time, his request for a special board should be approved.

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 6 Jan 22 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/PB and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he be provided supplemental promotion consideration for the CY22 Air Force Reserve (USAFR) Line and Nonline Major Promotion Vacancy (PV) Promotion Selection Board.

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-2021-03839 in Executive Session on 8 Feb 22:

- , Panel Chair
- , Panel Member
- , Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 15 Dec 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/PB, dated 5 Jan 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 6 Jan 22.

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