

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01712

XXXXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He receive a special board (SB) for promotion consideration to major (O-4) for the CY22 USAFR Line and Nonline Major (O-4) Position Vacancy (PV) Promotion Selection Board (PSB).

APPLICANT'S CONTENTIONS

He met the eligibility requirements for the CY22 USAFR Line and Nonline major (O-4) PV PSB, and his Major Command (MAJCOM) intended to submit a promotion recommendation form (PRF) on his behalf. However, due to administrative circumstances beyond his control, the PRF was not submitted to the promotion board by the 10 Dec 21 suspense date. The applicant's senior rater submitted a memorandum for record confirming the oversight and his intent to nominate the applicant for promotion.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 10 Dec 21, AF Form 709, *Promotion Recommendation*, signed by the applicant's senior rater and provided by the applicant, indicates that he was to be submitted for promotion consideration under the U0422A promotion 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 granting the applicants request for a Special Board in lieu of the CY22 USAFR Line and Nonline Major PV PSB due to an error in procedure. On 23 Aug 21, *ARPCM 21-22, CY22 USAFR Line and Nonline Major Promotion Selection Boards Convening Notice* was released to Military Personnel Sections and posted on the MyPers website. The ARPCM clearly stipulates the deadline for submission of PRFs nominating officers for PV consideration as 10 Dec 21. ARPC/PB did not receive a PRF nominating the applicant by 10 Dec 21. On 21 Jun 22, the applicant's Senior Rater submitted a letter confirming his intent to submit a PRF to ARPC/PB by 10 Dec 21, and the late submission was by no fault of the applicant.

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 9 Aug 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. The board notes the applicant's senior rater intended to nominate him for promotion; however, at no fault of the applicant, the PRF was not submitted by the suspense date. 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 special board consideration for the Calendar Year (CY) 2022 Air Force Reserve (AFR) Line and Nonline Major (O-4) Position 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-2022-01712 in Executive Session on 8 Nov 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 14 Jul 22.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory opinion, ARPC/PB, dated 9 Aug 22.
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 11 Aug 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

Board Operations Manager, AFBCMR