

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-02026

XXXXXXXXXX

**COUNSEL:** XXXXX

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

He receive a Special Selection Board (SSB) for promotion consideration for the CY22B Lieutenant Colonel Line of the Air Force Cross Functional Operations (P0522B) Central Selection Board (CSB).

### APPLICANT'S CONTENTIONS

The negative stigma associated with a Permanent Change of Station (PCS) move along with the missing Air Force Commendation Medal (AFCM) from his Officer Selection Brief (OSB) attributed to his non-selection for promotion. At the time the promotion board was convening, he was completing his Masters degree at the Naval Postgraduate School, preparing for an overseas language immersion course and he didn't catch the that the medal was missing from his OSB.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

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

On 21 Jul 14, according to the Air Force Commendation Medal citation, Special Order XXXXX, dated 28 Jul 21, he was awarded the AFCM for meritorious service for the time period of 31 Oct 11 to 1 Aug 14.

On 18 Feb 22, his *Air Force Officer Selection Brief* provided by the applicant, reflects the following awards: Meritorious Service Medal (MSM); Air Medal (AM); Aerial Achievement Medal (AAM) with three Oak Leaf Clusters; and the Army Commendation Medal.

On 7 Feb 23, a pull from the Military Personnel Database System provided the applicant's *Officer Awards - Decorations Report*, reflects, in addition to those awards noted above, the award of the AFCM.

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

### APPLICABLE AUTHORITY/GUIDANCE

Department of the Air Force Instruction (DAFI) 36-2501, *Officer Promotions and Selective Continuation*, Chapter 6, *Special Selection Boards (SSB)*, paragraph 6.3, *Conditions That May Warrant an SSB*: 6.3.1, Grant SSBs for promotion to the grade of captain through colonel based on: Legal, Administrative, and Material Errors. Acting on behalf of the SECAF, HQ AFPC/DPPP and HQ AFPC/DPPPO can direct an SSB for an officer if it is determined: The

action of the board that considered the officer was contrary to law or involved material error of fact or material administrative error, or; The board did not consider material information that should have been available in compliance with pertinent Air Force directives and policies.; An eligible officer did not meet a board or met the board in an incorrect promotion zone or competitive category.

6.3.2. Pursuant to Formal Appeal. The AFBCMR can grant SSBs when they determine an officer's nonselection for promotion resulted because of an error or injustice in the officer's record.

6.3.3. Exercising Reasonable Diligence. Do not have an SSB if, by exercising reasonable diligence, the officer should have discovered the error or omission and could have taken corrective action before the originally scheduled board convened.

### **AIR FORCE EVALUATION**

AFPC/DP2SP recommends denying the applicant's request. There is no evidence of an error or injustice. The applicant contends that because his OSR did not list his AFCM and as such he should receive SSB consideration due to incomplete records meeting the promotion board. However, even though the OSR did not list the AFCM, the award was in his records scored by the CSB panel members.

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 25 Jan 23 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP2SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board determines that in accordance with DAFI 36-2501, paragraph 6.3, the evidence does not warrant an SSB as there is no evidence of a material or administrative error. 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-2022-02026 in Executive Session on 7 Mar 23:

, 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 11 Aug 22.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Advisory Opinion, AFPC/DP2SP, dated 24 Jan 23.  
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 25 Jan 23.

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

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Board Operations Manager, AFBCMR