



[REDACTED]

[REDACTED]

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02361

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

She receive a special board (SB) for promotion consideration to lieutenant colonel (O-5) for the CY22 USAFR Line and Nonline Lieutenant Colonel (O-5) Position Vacancy (PV) Promotion Selection Board (PSB).

APPLICANT'S CONTENTIONS

The applicant's senior rater submitted a signed Performance Recommendation Form (PRF) nominating her for PV consideration. However, without notice, her commander took arbitrary and capricious action against her which resulted in the senior rater withdrawing the PRF from promotion consideration. On 30 Aug 22, the applicant submitted a Written Request for Redress of Grievance under Article 138 to her commander outlining complaints of wrongdoings committed against her and requested her PRF meet a special selection board. The applicant pointed out that her PRF was withdrawn from consideration for her alleged lack of swift action in responding to the hair styling of a member of the unit. Furthermore, she defends her hesitation to address the unit member by noting the guidance was not clear on what portion of the unit member's hair violated dress and appearance rules. The applicant believes her PRF was withdrawn because her commander wanted to return to the good graces of the wing commander. The applicant is requesting to meet a SB for promotion consideration to the CY22 USAFR Line and Nonline O-5 PV PSB due the arbitrary and capricious actions of her commander.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 22 Apr 22, according to AF Form 709, *Promotion Recommendation*, provided by the applicant, her wing commander nominated the applicant for the CY22 USAFR Line and Nonline Lieutenant Colonel (O-5) PV PSB.

On 11 Jun 22, according to a memorandum provided by the applicant, indicates that her group commander for not properly counseling another major within her unit on proper hair standards. The memo also indicates that her PV package for the current lieutenant colonel promotion board had been withdrawn by her wing commander.

AFBCMR Docket Number BC-2022-02361

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

APPLICABLE AUTHORITY

AFI 36-2504, Officer Promotion, Continuation, and Selective Early Removal in the Reserve of the Air Force

2.5. Purpose of the PV Program. Promotions under this program maintain a balanced force by giving commanders the means to nominate exceptionally well qualified candidates for promotion to fill vacancies in the grades of captain through lieutenant colonel in the Air Force Reserve.

2.5.1. Immediate supervisors and senior raters base their recommendations on individual merit and demonstrated potential for service in the higher grade. Officers are not entitled to a PV nomination simply because they occupy a higher graded position or because of their seniority to any other officer.

AIR FORCE EVALUATION

ARPC/PB recommends denying the application. The applicant requests her PRF meet an SB for PV promotion to lieutenant colonel (O-5). On 22 Apr 22, ARPC received a PRF signed by the senior rater nominating the applicant for PV consideration. On 31 May 22, the applicant was rendered ineligible for PV consideration due to withdrawal of the nomination by the senior rater. Based on documentation from the applicant and analysis of the facts, there is no evidence of error or injustice on the part of the Air Force because the applicant's nomination was withdrawn prior to the board convening on 6 Jun 22.

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 31 Oct 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. While the Board notes the recommendation of ARPC/PB against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. The Board found the senior rater's withdrawal of the applicant's PV nomination for the lack of her "swift action" in response to correcting a fellow major's hairstyle that was in violation of Air Force regulations, was an injustice to the applicant in this case. In this regard, the Board notes that the applicant was absent clear guidance on what portion of her fellow service member's hairstyle was "outside of the regulations," which in-turn prevented the applicant from taking the directed "swift action" to correct the service member on proper hair and grooming standards. Furthermore, the Board notes, that the applicant's officer performance reports with close-out dates from 2018

[REDACTED]

through 2021, all show stratifications and performance of an exceptionally well qualified candidate for a PV promotion (i.e. #1/6 FGOs, #1/62 Wg Majors, #1/68 Wing O-4s, #1/66 Majors, and #1/13 Sq/CCs) and even her most recent OPR with a close out date of 28 Feb 22 and signed after the alleged incident, has her stratified as #1/2 squadron commanders in her group. In accordance with AFI 36-2504, while officers are not entitled to a PV nomination simply because they occupy a higher graded position, it also states that the purpose of the program is to nominate exceptionally well qualified candidates who have demonstrated potential for service in the higher grade. Given the evidence of superior performance by the applicant, the fact that she was initially nominated by her senior rater, and the reason to pull her nomination for an incident that appears to be arbitrary and capricious, the Board finds the evidence convincing enough to grant the applicant's request. 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 APPLICANT be corrected to show that:

1. She be provided special board consideration for the Calendar Year (CY) 2022 Air Force Reserve (AFR) Line and Nonline lieutenant colonel (O-5) Position Vacancy (PV) Promotion Selection Board.
2. The AF Form 709, *Promotion Recommendation*, that was originally submitted and signed by her wing commander on 22 April 2022, be the form that is used for her special board consideration.

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-2022-02361 in Executive Session on 10 Jan 23:

[REDACTED] Panel Chair
[REDACTED] Panel Member
[REDACTED] Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 4 Sep 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/PB, w/atchs, dated 31 Oct 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 9 Nov 22.

[REDACTED]

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.

7/3/2025

[REDACTED]