

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02870

XXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His date of rank (DOR) to the grade of major be changed from 2 August 2022 to 3 November 2021 with an effective date of 26 May 2022.

APPLICANT'S CONTENTIONS

His promotion package was lost due to technological issues and personnel turnover at the California Air National Guard Headquarters (CA ANG HQ). The package was never sent to NGB for inclusion on the Federal Recognition Roster CY21F PVO4/O5.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air National Guard major (O-4).

The following documents were provided by the applicant:

According to NGB 89-1, *Proceedings of a Federal Recognition Examining Board*, dated 3 November 2021, the findings of the board reflect the applicant was qualified for promotion and it was recommended he be granted Federal Recognition.

According to NGB 89-1, *Proceedings of a Federal Recognition Examining Board*, dated 2 August 2022, the findings of the board reflect the applicant was qualified for promotion and it was recommended he be granted Federal Recognition.

On 2 August 2022, according to Special Order Wor..., dated 6 August 2022, the applicant was promoted to major in the CA ANG as a Reserve of the Air Force.

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

AIR FORCE EVALUATION

NGB/AIPO recommends granting the application. The applicant's promotion package was submitted and received to the CA ANG HQ on 1 October 2021; however, the applicant's NGB 89-1, *Proceedings of a Federal Recognition Examining Board*, was missing. The applicant's unit forwarded the NGB 89-1 to complete the applicant's promotion package, however, CA ANG HQ never received the email due to systemic email issues. This error was identified on 28 July 2022, nearly two months after the intended board of promotion CY21F PVO4/O5 was approved with an effective date of rank of 26 May 2022. Internally within the state, the

applicant was directed to re-board for promotion and was submitted for CY22D PVO4/O5 which closed 31 August 2022 and was approved with an effective date of rank of 23 January 2023.

Based on the documentation provided by the applicant and analysis of the facts, there is evidence to support errors occurred at the unit and state level through no fault of the applicant. This resulted in the applicant being re-boarded eight months later.

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 13 February 2023 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 NGB/A1PO 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 APPLICANT be corrected to show that he was promoted to the grade of major (O-4) with a date of rank of 3 November 2021 and a promotion effective date of 26 May 2022.

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-2022-02870 in Executive Session on 28 March 2023:

, 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 2 November 2022.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1PO, dated 3 February 2023.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 13 February 2023.

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