

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

Work-Product

RECORD OF PROCEEDINGS**IN THE MATTER OF:****DOCKET NUMBER:** BC-2023-00560

Work-Product

COUNSEL: Work-Product**HEARING REQUESTED:** NO

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APPLICANT'S REQUEST

He be considered for promotion by a special selection board (SSB) for the Calendar Year 2023 United States Air Force Reserve Major Line and Nonline Position Vacancy (PV) Board (U0423A).

APPLICANT'S CONTENTIONS

Due to organizational restructuring and communication failures between several organizations, to include the Military Personnel Flight and the wing commander's staff, he was never issued an Officer Preselection Brief or the convening notice for the U0423A PV board. Despite this, he still reached out to his chain of command and requested they submit his Promotion Recommendation Form (PRF) before the suspense date. However, due to operational concerns, the wing commander was unable to submit his PRF before the deadline. As a result, and due to errors beyond his control, he was not considered for a PV promotion to major.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

According to documentation provided by the applicant:

According to ARPCM 22-24, *Calendar Year 2023 (CY23) Air Reserve Component (ARC) Selection Board Schedule with Key Board Events and Dates*, 12 Jul 22, the U0423A PV board was scheduled to convene on 23 Jan 23 and PRFs for the board were due by 9 Dec 22.

On 9 Dec 22, according to an email from the Wing Chief of Staff (WG/COS) to the Force Support Squadron (FSS/FSP), the PRF was with wing commander for signature.

On 14 Dec 22, according to an email from the FSS/FSP to the applicant, they informed the applicant they did not receive his PRF until 13 Dec 22, and it was submitted to the Air Reserve Personnel Center (ARPC) "as soon as I received it." However, ARPC "kicked it back" stating the PRF was submitted after the 9 Dec 22 cutoff date and were unable to accept it; therefore they will be unable to add to applicant to the U0423A PV board.

On 3 Feb 23, according to memorandum, *Submission of PRF to USAFR Board U0423A [Applicant's Name]*, the WG/COS states on 9 Dec 22 the PRF was submitted to the Wing Commander (WG/CC) for signature; however, due to operational concerns the WG/CC signed the PRF after the suspense had passed. Further, he states the applicant did everything in his power to

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CUI//SP-MIL/SP-PRVCY**

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POC: SAF.MRBC.Workflow@us.af.mil

ensure the PRF was completed in accordance with the published timelines, and it was not the applicant's fault the PRF was submitted after the suspense.

On 14 Jun 23, a pull from the Military Personnel Database System provided the applicant's Personnel Data report, which reflects he occupies a position with an authorized rank of lieutenant colonel (O-5).

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

APPLICABLE AUTHORITY/GUIDANCE

Air Force Instruction (AFI) 36-2406, *Officer and Enlisted Promotions Systems*, paragraph 8.2.4.2, dated 14 Nov 19. The senior rater will complete the PRF in enough time to arrive at ARPC not later than 45 calendar days before the central selection board.

AIR FORCE EVALUATION

ARPC/DP recommends denying the applicant's request. In accordance with AFI 36-2504, *Officer Promotion, Continuation and Selective Early Removal in the Reserve of the Air Force*, dated 9 Jan 03 (Incorporating through Change 5, dated 19 Oct 7, Certified Current 22 Jan 10), Chapter 2, section 2.6. *Vacancy Determination*, for PV promotion nomination the officer must occupy a position with an authorized grade higher than the officer's current grade. Additionally, section 2.7, *Eligibility Criteria*, states the position must be funded for one full year from the board convening date, and the officer must be the incumbent in the position for which nominated. In this case, the applicant met the eligibility criteria to meet the PV board as he was in a higher graded billet, the billet was funded for one full year from the board convene date, and he was the incumbent in the position.

The documentation provided by the applicant showed his due diligence to obtain information regarding the PV board, eligibility status and PRF submission, and confirmed his leadership's intent to submit him for the PV board. However, the memorandum *Submission of PRF to USAFR Board U0423A*, provided by the applicant, came from the wing chief of staff and was not signed by the senior rater. AFI 36-2504, section 2.7, further states that officers are recommended by their senior rater on a PRF. Since the senior rater is the nominating authority, they also must be the one who submits the explanation as to why the PRF was submitted late. Therefore, the applicant's request should be denied. However, if the applicant can provide a signed memorandum from his senior rater explaining why the PRF was late, then this request should be reconsidered.

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 4 May 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 ARPC/PB and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board determines that the memorandum from the Wing Chief of Staff is insufficient as it does not comply with the criteria set forth in AFI 36-2504. However, if the applicant provides a signed memorandum from his senior rater explaining why the PRF was late, then the Board will reconsider his request. Accordingly, 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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-00560 in Executive Session on 6 Jul 23:

- Work-Product** Chair, AFBCMR
- Work-Product** Panel Member
- Work-Product** Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Feb 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/PB, dated 20 Apr 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 4 May 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

8/8/2023

X

Work-Product

Board Operations Manager, AFBCMR

Signed by: **Work-Product**