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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01462

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COUNSEL: NONE

HEARING REQUESTED: NOT INDICATED

### APPLICANT'S REQUEST

His record to include his Officer Performance Brief (OPB) for the period 10 October 2022 thru 31 May 2023, prepared for consideration by the U0523A Calendar Year 2023A (CY23A) Lieutenant Colonel (O-5) Line and Nonline Position Vacancy (PV) Board, be provided Special Selection Board (SSB) consideration by the CY23A Lieutenant Colonel Line and Nonline PV Board.

### APPLICANT'S CONTENTIONS

Upon meeting the U0523A board, his OPB, for the period 10 October 2022 thru 31 May 2023, was missing from his Personnel Records Display Application (PRDA), and therefore not viewable to the board members while ranking his Promotion Recommendation Form (PRF). He has since worked with his local Military Personnel Flight (MPF), and he has verified the performance report is now uploaded into his records.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a currently serving Air Force Reserve major (O-4).

The applicant's OPB for the period 10 October 2022 thru 31 May 2023, signed on 3 August 2023, was not filed in the applicant's record prior to the convening of the U0523A CY23A Lieutenant Colonel Line and Nonline PV Board; therefore, the OPB was not considered by the board which convened on 14 August 2023.

The applicant was considered and not selected for promotion to the grade of lieutenant colonel by the U0523A Line and Nonline PV 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 application. The request for a special board for U0523A, CY23 USAFR Lieutenant Colonel Line and Nonline PV board should be approved. The 2023 OPB was signed and finalized prior to the board, and filed in the officer's online master

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Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

record prior to the board. It is no fault of the applicant the 2023 OPB did not make it to his OSR for the board to consider.

IAW Title 10, U.S.C, §14107, Information furnished by the Secretary concerned to promotion boards (2)(A), no information concerning a particular eligible officer may be furnished to a selection board except for the following: information that is in the officer's official military personnel file and that is provided to the selection board in accordance with the regulations prescribed by the Secretary of Defense pursuant to paragraph (1).

IAW Title 10, U.S.C, § 1558, Review of actions of selection boards: correction of military records by special boards; judicial review, and Title 10, U.S.C. § 1552, Correction of military records; allows the Secretary of the military department concerned to convene special boards to correct any military record when they consider it necessary to correct an error or remove an injustice.

The 2023 OPB was signed and finalized on 3 August 2023. It was filed in the officer's master online record on 8 August 2023. ARPC Promotion Board Operations did their final record pull on or about 8 August 2023, so it appears the final pull was done prior to the OPB being filed in the applicant's online record. The OPB not being pulled or filed in the OSR for the board to consider is not at the 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 20 June 2024 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. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

#### **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show:

- a. The Officer Performance Brief (OPB) for the period 10 October 2022 thru 31 May 2023, prepared for consideration by the U0523A Calendar Year 2023A (CY23A) USAFR Lieutenant Colonel (O-5) Line and Nonline Position Vacancy (PV) Promotion Selection Board was accepted for file in his Officer Selection Record.

b. It is further directed that his record, to include the attached OPB, be considered for promotion to the grade of lieutenant colonel by a Special Board (SB) for U0523A, CY23A USAFR Lieutenant Colonel Line and Nonline PV Promotion Selection Board.

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-2024-01462 in Executive Session on 12 November 2024:

- Work-Product, Panel Chair
- Work-Product, Panel Member
- Work-Product, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 17 April 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/PB, w/atchs, dated 12 June 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 20 June 2024.

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.

3/5/2025

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Board Operations Manager, AFBCMR

Signed by: Work-Product