

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-02317
COUNSEL: NO
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her records be corrected to show that she was selected for promotion by the Calendar Year 2011A (CY11A) Lieutenant Colonel (Lt Col) Central Selection Board (CSB).

APPLICANT CONTENDS THAT:

Her promotion record was not complete at the time of the CY11A Lt Col CSB which prevented the promotion board from making a proper determination on her qualifications/competitiveness for promotion.

Her Officer Performance Report (OPR) closing 1 May 2011 was not filed in her Officer Selection Record (OSR) for the original CY11A Lt Col CSB. This was caused by her unit not ensuring it was finalized on time and filed in her OSR. She had been deployed and had received three individual awards which were not reflected on her Promotion Recommendation Form (PRF) and thus, were not considered by the promotion board.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force in the rank of major (O-4). She has two non-selections for promotion to the grade of Lt Col by the CY11A and CY12A Lt Col CSBs.

The ERAB favorably considered her request to change the signature dates on her 1 March 2011 OPR to dates prior to the original CY11A CSB and provide her SSB consideration for promotion. She was considered and non-selected by the SSB for the CY11A Lt Col CSB.

AIR FORCE EVALUATION:

AFPC/DPSID defers to the appropriate office of primary responsibility in regards to the applicant's request for promotion. DPSID states although the applicant perceives an injustice, the closeout date of the evaluation was just six days prior to the original promotion board convening. Evaluators are provided 60 days after the closeout date of an evaluation to process the evaluation into the official military record in accordance with Air Force Instruction 36-2406. In this case, the applicant requested relief from the ERAB to include this information for a supplemental promotion board. The ERAB granted the administrative relief by changing the signature dates of the evaluators on the evaluation to appear it was signed and processed prior to the original promotion board so the information could be included. Accordingly, the applicant has been provided all administrative relief regarding the evaluations portion of her requests as the corrected record was subsequently considered by the SSB for promotion consideration.

The complete DPSID evaluation is at Exhibit C.

AFPC/DPSOO recommends denial. DPSOO states an SSB convened for the purpose of having a relook based on an error or injustice is just that, a relook. Any non-selections received from an SSB for that purpose does not constitute another non-selection. Therefore, there is nothing to be voided. The non-selection received by the CY11A Lt Col CSB SSB was based on a complete review of the applicant's record, to include her 1 March 2011 OPR. All the corrections requested by the applicant were made. There is no evidence to suggest the applicant was prejudiced by this board. Without proof of error or injustice, the non-selection should not be voided.

The complete DPSOO evaluation is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

She had trust in her leadership and the Air Force institution, that while she was deployed, and in one of the most critical promotion periods in her career, that her leadership would do the right thing; that they would give her a fair and equitable chance to compete with her peers. She is asking the Board to review her entire package to include the recommendations and documents she submitted in support of her request. She strongly believes she was not fairly considered for promotion during her original promotion board to Lt Col, as her records did not include her 1 March 2011 OPR.

The applicant's complete rebuttal is at Exhibit F.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice to warrant her promotion to the grade of Lt Col by the CY11A Lt Col CSB. In this respect, we note the applicant contends the CY11A Lt Col CSB was prevented from making a proper determination on her qualifications/competitiveness for promotion because the 1 March 2011 OPR was not a matter of record and as such, her Officer Selection Record was incomplete. However, this was remedied by the ERAB, when they provided her promotion consideration by an SSB for the CY11A Lt Col CSB, with the 1 March 2011 OPR a matter of record. As such, we find that she has received full and fitting relief. The Board observes that officers compete for promotion under the whole person concept whereby many factors are carefully assessed by selection boards. An officer may be qualified for promotion but, in the judgment of a selection board vested with the discretionary authority to make the selections, may not be the best qualified of those available for the limited number of promotion vacancies. As such, we believe that a duly constituted selection board applying the complete promotion criteria is in the most advantageous position to render this vital determination, and that its prerogative to do so should only be usurped under extraordinary circumstances. Therefore, in view of the above and in the absence of evidence to the contrary, we find no basis upon which to recommend favorable consideration of the requested relief.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2012-02317 in Executive Session on 12 February 2013, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-02317 was considered:

- Exhibit A. DD Form 149, dated 23 May 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, ARPC/DPSID, dated 14 Jul 12.
- Exhibit D. Letter, ARPC/DPSOO, dated 15 Aug 12.
- Exhibit E. Letter, SAF/MRBR, dated 30 Aug 12.
- Exhibit F. Letter, Applicant, dated 24 Sep 12.

Panel Chair