

ADDENDUM TO
RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

SEP 14 1998

IN THE MATTER OF:

DOCKET NUMBER: 96-01940

COUNSEL: NONE

HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

His Enlisted Performance Reports (EPRs) closing 1 Aug 92, 1 Aug 93, 7 Aug 94, and 28 Mar 95 be declared void and removed from his records.

He be reconsidered for promotion to the grade of senior master sergeant (E-8) retroactive to a date determined by the Board.

RESUME OF THE CASE:

The applicant is a current Air Force enlisted member serving on active duty in the grade of master sergeant.

On 15 Apr 97, the Board considered and denied an application for correction of military records pertaining to the subject applicant, in which he requested that his EPRs closing 1 Aug 92, 1 Aug 93, 7 Aug 94, and 28 Mar 95, be voided and removed from his records; and, that he be reconsidered for promotion to the grade of senior master sergeant (E-8) retroactive to a date determined by the Board (see AFBCMR 96-01940, with Exhibits A through F).

APPLICANT CONTENDS THAT:

The Board did not have a complete package when it denied his appeal. The documentation that he has provided supports his claim that the contested reports were inaccurate assessments of his performance because they were the result of racial bias.

A complete copy of the applicant's request for reconsideration is at Exhibit G.

THE BOARD CONCLUDES THAT:

1. In earlier findings, we determined that there was insufficient evidence to warrant any corrective action regarding the applicant's request that his EPRs closing 1 Aug 92, 1 Aug 93, 7 Aug 94, and 28 Mar 95 be voided and removed from his records; and, that he be reconsidered for promotion to the grade of senior master sergeant (E-8) retroactive to a date determined by the Board. The applicant's most recent submission has been reviewed and a majority of the Board finds that it is new and relevant. Nevertheless, the Board majority finds it insufficient to warrant a reversal of the Board's previous determination in this case. The evidence provided does not show to our satisfaction that his performance was not accurately depicted by the contested reports, or the reports were based on factors other than his performance, a majority of the Board adheres to the original decision and concludes that no basis exists to act favorably on the applicant's requests.

2. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable 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 this application in Executive Session on 4 Jun 98, under the provisions of AFI 36-2603:

Mr. Thomas S. Markiewicz, Panel Chair
Mr. Robert W. Zook, Member
Mr. David W. Mulgrew, Member

A majority of the Board found the applicant's submission to be new and relevant. However, the Board majority voted to deny the applicant's request that his EPRs closing 1 Aug 92, 1 Aug 93, 7 Aug 94, and 28 Mar 95 be voided and removed from his records; and, that he be reconsidered for promotion to the grade of senior master sergeant. [REDACTED] found the applicant's submission to be new but not relevant to warrant a revision of the Board's original decision. Accordingly, [REDACTED] voted to deny the

request for reconsideration. The following additional
documentary evidence was considered:

Exhibit G. Letter, applicant, dated 19 May 97, w/atchs.


THOMAS S. MARKIEWICZ
Panel Chair