

JUL 14 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03176

COUNSEL: None

HEARING DESIRED: No

Applicant requests that his now voided Officer Performance Report (OPR) closing 11 April 1996 be reaccomplished. Applicant's submission is at Exhibit A.

Applicant's request to remove the Letter of Reprimand (LOR) and references to the Unfavorable Information File (UIF) from both his promotion folder and his command selection folder were administratively accomplished by the appropriate Air Force office. (Exhibit C).

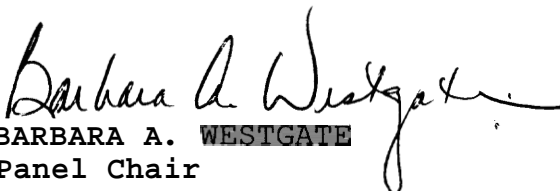
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit D). In order for a report to be reaccomplished, it is up to the applicant to garner the support of the original evaluation chain and request that they reaccomplish the report. Once this is done, the applicant can then request that the reaccomplished version be added to the OPR. Since the applicant has not provided the reaccomplished OPR, this request is without basis. The advisory opinion was forwarded to the applicant for review and response (Exhibit E). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mrs. Barbara A. Westgate, Mr. Frederick R. Beaman 111, and Mr. Steven A. Shaw considered this application on 7 July 1998, in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


BARBARA A. WESTGATE
Panel Chair

Exhibits :

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Letter to Applicant
- D. Advisory Opinion
- E. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

U.S. AIR FORCE



30 DEC 97

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPPA
550 C Street West, Suite 8
Randolph AFB TX 78150-4710

SUBJECT: [REDACTED]

Requested Action. The applicant requests removal of the letter of reprimand (LOR) and any references to the unfavorable information file (UIF) from both his officer selection record (OSR) and his command selection record. In addition, he requests reaccomplishment of his now voided 11 Apr 96 officer performance report (OPR). We will address the OPR issue only.

Basis for Request. See below.


Recommendation. Deny due to lack of merit.

Facts and Comments.

- a. The application is timely filed. A similar application was submitted under AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports. The Evaluation Report Appeal Board (ERAB) approved the applicant's request to void the report, and an AF Form 77 was filed in place of the voided report. In the applicant's AFR 36-2401 appeal, he requested that the OPR either be reaccomplished, or in the event that it could not, that it be voided in its entirety.
- b. The governing directive is AFR 36-10, Officer Evaluation System, 1 Aug 88.
- c. Promotion nonselection is not an issue.
- d. The now voided OPR was originally a referral report, and it has since been voided from the applicant's records. In addition, the letter from HQ AFPC/DPSFC, dated 4 Dec 97, informed the applicant the LOR and UIF have now been destroyed.
- e. The applicant is now requesting that the OPR be reaccomplished. However, he has not provided a reaccomplished version of the report. In order for a report to be reaccomplished, it is up to the applicant to garner the support of the original evaluation chain and request that they reaccomplish the report. Once this is done, the applicant can then request that the reaccomplished version be added to the OSR. Since the applicant has not provided the reaccomplished OPR, this request is without basis.

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Summary. We recommend denial due to lack of merit. The applicant's request has no basis.


MARIANNE STERLING, Lt Col DU SAF
Chief, Appeals and SSB Branch
Directorate of Pers Program Mgt



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