

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-03274

AUG 14 1998

COUNSEL: None

HEARING DESIRED: No

Applicant requests he be retroactively promoted to the grade of staff sergeant. Applicant's submission is at Exhibit A.

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). 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 opinion 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 Mr. Leroy T. Baseman, Mr. Gregory H. Petkoff and Mr. Patrick R. Wheeler considered this application on 2 July 1998 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.



LEROY T. BASEMAN
Panel Chair

Exhibits:

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



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



'10 NOV 1997

MEMORANDUM FOR AFBCMR

FROM: AFPC/DPPPWB
550 C Street West, Ste 09
Randolph AFB TX 78150-4711

SUBJECT: Application for Correction of Military Records [REDACTED]

Requested Action. The applicant is requesting he be promoted to staff sergeant (E-5) during cycle 97E5 (promotions effective Sep 97 - Aug 98).

Reason for Request. The applicant who was tentatively selected for promotion to staff sergeant, during cycle 97E5 and later lost the promotion because of a data error that was not his fault, believes his promotion to staff sergeant should be reinstated.

Facts. The applicant was tentatively selected for promotion to staff sergeant during the initial 97E5 promotion cycle per Promotion Sequence Number (PSN) 03089.0. The tentative promotion was canceled when it was determined during the data verification check, that his records had been erroneously updated to reflect the award of an Aerial Achievement Medal (worth 3 points).

Discussion.

a. A review of the applicant's case file reflects that he was tentatively selected for promotion to staff sergeant during cycle 97E5 pending a favorable data verification check. However, it was discovered during the data verification check that his total decoration points had been updated to include the award of an Aerial Achievement Medal which he had never been awarded. This erroneous update was done by his servicing Military Personnel Flight (MPF). Once this error was corrected, the applicant's total promotion score dropped below the cutoff required for promotion in his Control Air Force Specialty Code (CAFSC) and he became a nonselect for promotion. While the applicant believes his promotion should be reinstated because the error which caused his nonselection was no fault of his, the fact remains that had he been considered with the correct decoration points he would never have been selected for promotion during the 97E5 cycle.

b. The applicant has included an article from the Air Force Times regarding the removal; from the selection list of seven other individuals. Without addressing specifics because of the Privacy Act of 1974, these individuals were either considered in the incorrect Promotion AFSC initially, or if considered in the correct AFSC, when other individuals (who were initially

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considered ~~in the~~ incorrect AFSC) were reconsidered in their AFSC, they became nonselectees because of a change in the cutoff score required for selection. They also petitioned the AFBCMR. However, their removal from the selection list was because they were built and considered in eleven AFSCs when they should have been considered in only four. Their particular situation is not the same as the applicant's as he was selected for promotion based on the award of an erroneous decoration.

c. Personnel are informed when promotions are first announced they are tentative pending a data verification (a comparison of the computer data with the paper copies of the source documents in the records). When an error is detected during the data verification process, regardless of what caused the error, the correction is made to the individual's record and he/she is reconsidered for promotion. If their total score remains above the cutoff score required for promotion, they remain a select. If the score drops below the cutoff score required for promotion they become a nonselect. This is what happened in the case of the applicant. Therefore, if the AFBCMR were to promote the applicant it would be authorizing a promotion for an individual who would not have been selected during cycle 97E5 had his decoration points been updated properly. Consequently, there is no valid reason to promote the applicant to staff sergeant, a grade that he was never legally selected. To do so would be grossly unfair to the 112 other individuals in the applicant's AFSC who have a higher total score than his but cannot be promoted because their total score is also below the cutoff score of 288.75 required for selection.

Recommendation. ~~Denial~~, based on the rationale provided.

Donald B. Slate

DONALD B. SLATE

Ass't Chief, Inquiries/AFBCMR Section

Enlisted Promotion Branch

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