



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUN 30 1998


Office of the Assistant Secretary

AFBCMR 98-00028

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED], to include the Field Grade Officer Report rendered for the period 1 July 1996 through 20 February 1997, be considered for promotion to the grade of lieutenant colonel by Special Selection Board for the Calendar Year 1997C Lieutenant Colonel Board.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency

JUN 30 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00028

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be considered for promotion to the grade of Lieutenant Colonel by Special Selection Board (SSB) for the Calendar Year 1997 (CY97C) Lieutenant Colonel Board.

APPLICANT CONTENDS THAT:

His Officer Performance Report (OPR) rendered for the period 1 July 1996 through 20 February 1997, was submitted to the selection board on the wrong form. He believes this had a negative influence on the promotion board.

In support of the appeal, applicant submits a personal statement, the contested report, the reaccomplished report, and other documentation.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving on extended active duty in the grade of Major.

He was considered but not selected for promotion to the grade of lieutenant colonel by the CY96C and CY97C lieutenant colonel selection boards.

The applicant appealed the contested report under the provisions of AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports. The Evaluation Review Appeal Board (ERAB) approved his request to replace the OPR with a reaccomplished version on the appropriate form. They denied the request for SSB consideration.

OER/OPR profile since 1990, follows:

<u>PERIOD ENDING</u>	<u>EVALUATION OF POTENTIAL</u>
7 Jan 90	Meets Standards
29 May 90	Meets Standards
29 May 91	Meets Standards
29 May 92	Meets Standards
1 Feb 93	Meets Standards
1 Feb 94	Meets Standards
1 Feb 95	Meets Standards
1 Feb 96	Meets Standards
30 Jun 96	Meets Standards
20 Feb 97	Meets Standards
6 Oct 97	Meets Standards

AIR FORCE EVALUATION:

The Chief, Appeals and SSB Branch, Directorate of Personnel Program Management, HQ AFPC/DPPPAB, reviewed this application and states that although the applicant's OPR was printed on the wrong form, the accomplishments on the form are identical to those viewed by the selection board. There is no evidence the contested OPR negatively impacted his promotion opportunity. Central boards evaluate the entire officer selection record (OSR). Had the applicant reviewed his records prior to the promotion board, he would have discovered the OPR was printed on the wrong form. He did not. Although the OPR was printed on the wrong form, the comments on the contested and reaccomplished OPR are exactly same. Therefore, they recommend denial of applicant's request.

A complete copy of the Air Force evaluation is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant reviewed the Air Force evaluation and states that he took appropriate measures to ensure his OSR was correct prior to the convening of the promotion board. He discovered the error five months prior to the promotion board. His commander reaccomplished the OPR and the commander's executive officer reassured him the mistake had been corrected. The OPR was not corrected and he was notified of the error two days prior to the board results being announced. The OPR stating company grade officer could have negatively influenced the board's decision although the comments were exactly the same.

Applicant's complete response is attached at Exhibit E.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. Applicant alleges that his Officer Performance Report (OPR) closing 20 February 1997, was submitted on the wrong form and believes that this error had a negative influence on the CY97C lieutenant colonel selection board members. The Air Force concludes the OPR in question was submitted on the wrong form; however, they believe the selection board reviews the entire record and there is no evidence the OPR negatively impacted his promotion opportunity. They also state that if the applicant carefully reviewed his records prior to the promotion board, he would have discovered the OPR was printed on the wrong form. In cases similar to the applicant's, this Board normally would conclude the error was harmless. However, after reviewing applicant's comments to the Air Force evaluation, we are persuaded that his corrected record should be considered for promotion to the grade of lieutenant colonel by Special Selection Board (SSB) for the CY97C board. In this respect, we note that applicant took steps to have the report corrected and was told that it was sent for inclusion in his records. Applicant states in his response, "The comments in the advisory reinforce my contention that the promotion board could have been negatively influence by the mistake in my records. First, it emphasizes my responsibility to ensure the accuracy of my records. Second, even though I discussed it in two documents, Lt Col S assumed I didn't take action to have my records changed. The promotion board didn't have the advantage of two explanations. They only knew I didn't have an obvious mistake corrected. The mistake sent the wrong message to the board just like it did to Lt Col S." In view of the above, we recommend favorable action on this application.

THE BOARD RECOMMENDS THAT:


The pertinent military records of the Department of the Air Force relating to APPLICANT, to include the Field Officer Report rendered for the period 1 July 1996 through 20 February 1997, be considered for promotion to the grade of lieutenant colonel by Special Selection Board for the Calendar Year 1997C Lieutenant Colonel Board.

The following members of the Board considered this application in Executive Session on 28 April 1998, under the provisions of AFI 36-2603:

Mrs. Barbara A. Westgate, Panel Chair
Ms. Dorothy P. Loeb, Member
Ms. Rita S. Looney, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 24 December 1997.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPPAB, dated 27 January 1998.
- Exhibit D. Letter, SAF/MIBR, dated 9 February 1998.
- Exhibit E. Applicant's Response, dated 19 February 1998.


BARBARA A. WESTGATE
Panel Chair



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

27 JAN 1998

MEMORANDUM FOR AFBCMR

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

SUBJECT: [REDACTED]

Requested Action. Applicant requests special selection board consideration (SSB) by the CY 97C (21 Jul 97) (P0597C) central lieutenant colonel selection board with inclusion of the corrected officer performance report (OPR) that closed out 20 Feb 97 in his officer selection record

Basis for Request. Applicant believes the P0597C promotion board members may have perceived a negative impression of him because his most recent OPR was printed on the *wrong* form.

Recommendation. Deny

Facts and Comments.


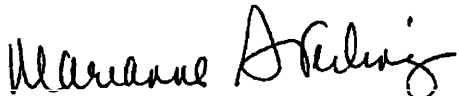
- a. The application is timely. The applicant filed a similar appeal under AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports. The Evaluation Review Appeal Board (ERAB) approved his request to replace the OPR with a reaccomplished version on the appropriate form. However, they denied his request for SSB consideration based on the change. A copy of the letter announcing the ERAB's decision, dated 7 Nov 97, is included in the applicant's appeal package. The applicant has two nonselections to the grade of lieutenant colonel by the CY96C (8 Jul 96) (P0596C) and P0597C central lieutenant colonel selection boards.
- b. The governing directive is AFI 36-2501, Officer Promotions and Selective Continuation, 1 Mar 96.
- c. In support of his appeal, the applicant includes a personal brief; a copy of a memorandum from HQ AFPC/DPPPAE; a copy of the ERAB appeal package; a copy of the erroneous OPR; and a copy of the corrected OPR
- d. Although the applicant's OPR was printed on the wrong form, the accomplishments on the form are identical to those viewed by the original P0597C board. While it may be argued that the contested OPR was a factor in the applicant's nonselection, there is no

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clear evidence that it negatively impacted his promotion opportunity. Central boards evaluate the entire officer selection record (OSR) (including the promotion recommendation form, officer performance reports, officer effectiveness reports, training reports, letters of evaluation, decorations, and officer selection brief), assessing whole person factors such as job performance, professional qualities, depth and breadth of experience, leadership, and academic and professional military education.

e. In addition, each eligible officer considered by the P0597C board received detailed instructions for review of their preselection briefs and associated records. The instructions clearly state, "Officers are responsible for reviewing their PRF, OPRs and data on their preselection brief and associated records for accuracy prior to the board date, addressing all concerns and discrepancies through their servicing Military Personnel Flight (MPF), and if necessary, their chain of command and senior rater. Officers will not be considered by SSB if, in exercising reasonable diligence, the officer should have discovered an error or omission in his/her records and could have taken timely corrective action." The OPR was signed by the applicant's rater on 20 Feb 97, some 5 months prior to the promotion board. Had the applicant carefully reviewed his records prior to the promotion board, he would have discovered the OPR was printed on the wrong form. It is apparent he did not carefully review his records until after his nonselection to the grade of lieutenant colonel. Therefore, we recommend denying the applicant's request for SSB consideration on this issue.

Summary. The applicant has not convinced us he exercised reasonable diligence to ensure his records were accurate prior to the promotion board. Although the OPR was printed on the wrong form, and subsequently replaced with a copy on the appropriate form, the comments on the OPR are exactly the same. Therefore, our recommendation of denial is appropriate.



MARIANNE STERLING, Lt Col, USAF
Chief, Appeals and SSB Branch
Directorate of Personnel Program Mgt

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