

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00088

FEB 5 1999

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His Officer Selection Brief (OSB), reviewed by the Calendar Year 1997C (CY97C) Central Lieutenant Colonel Selection Board, be corrected in the following areas:

- a. Aeronautical/flying data.
- b. Duty history.
- c. Education.
- d. Decoration information.

2. He be considered for promotion to the grade of lieutenant colonel by special selection board (SSB) for the CY97C Central Lieutenant Colonel Selection Board.

APPLICANT CONTENDS THAT:

The flying history submitted as evidence includes approximately 20-30 hours. The "M" prefix associated with evaluator qualification was not included on his Assignment History for the period 11 Feb 92 and 2 Oct 92. Education should reflect Florida State University, not the University of Florida. The Air Force Achievement Medal First Oak Leaf Cluster (AFAM 10LC) citation, dated 15 February 1996, was missing.

His officer selection brief (OSB) arrived just prior to his permanent change of station (PCS). His performance recommendation form (PRF) rating was not received until after he PCS'd. Errors in flying times, weapon system qualifications, examiner Air Force Specialty Codes (AFSCs) and colleges attended were verbally briefed to Military Personnel Flight (MPF) at the time of his out processing from Scott Air Force Base. His Achievement Medal was in his records at the time he departed Scott; however, the MPF was in the process of placing his Meritorious Service Medal (MSM) into his records. Applicant states his personnel records were left with the 375th MPF for corrections and inclusion of the missing data. He feels the

exclusion of the Achievement Medal and incorrect data are due to a lack of concern and poor effort on the part of not just the 375th MPF but those of the Air Force across the board, and directly resulted in his non-selection to the grade of lieutenant colonel.

In support of his appeal, applicant submits a letter, a copy of the CY97C OSB, flying history, Officer Performance Report (OPR), for the period closing 12 Jul 1993, a Board Discrepancy Report for the AFAM 10LC reviewed by the CY97C promotion board and, a copy of the citation for the AFAM 10LC.

Applicant's submission is attached at Exhibit A.

STATEMENT OF FACTS:

Applicant was appointed a second lieutenant in the Reserve of the Air Force on 16 February 1982.

Applicant was considered, but not selected, by the CY97C Lieutenant Colonel Central Selection Board which convened on 21 July 1997.

Applicant's Officer Performance Report (OPR) profile is as follows:

<u>PERIOD ENDING</u>	<u>OVERALL EVALUATION</u>
27 Nov 92	Meets Standards
12 Jul 93	Meets Standards
2 Mar 94	Meets Standards
2 Mar 95	Meets Standards
2 Mar 96	Meets Standards
# 2 Mar 97	Meets Standards
2 Mar 98	Meets Standards

Top report at time of non-selection to the grade of Lieutenant Colonel by the CY97C Central Lieutenant Colonel Board

AIR FORCE EVALUATION:

The Chief, Reports and Queries Team, HQ AFPC/DPAIS1, states that the applicant has a duty entry, dated 24 Dec 92 with a Duty Air Force Specialty Code (DAFSC) of "Q11A3S." This entry was originally updated as an "M1355B" in July 1993; however, was changed in October 1993 to "Q11A3S." [In October 1993, a portion of the prefixes and duty titles were changed. The former "M" prefix had a duty title as "Stand Board/Examiner." This was changed to a "Q" prefix with additional duty titles]. The applicant's OPR for the period of 28 Nov 92 - 12 Jul 93 reflects

the correct DAFSC as "M1355B." Applicant's 24 Dec 92 duty entry has been updated to reflect the correct DAFSC.

AFPC/DPAIS1 has updated a new entry effective 13 Jul 93 with a DAFSC of "Q11A3S" to match the OPR for the period 13 July 1993 to 2 March 1994. This entry was not portrayed on the OSB.

Research shows applicant's DAFSCs for 11 Feb 92 and 2 Oct 92 were recently changed. The DAFSCs were altered by the addition of the "M" prefix. The OPR covering this period, 28 Nov 91 - 27 Nov 92, has a DAFSC as "1355B." The addition of this "M" prefix does not coincide with source documents on file and has been deleted from the applicant's record. These two DAFSCs were accurately reflected on the OSB. If applicant believes the omission of the "M" prefix is in error, he should be referred to the MPF Evaluations Office to provide proof that the OPR is incorrect and follow procedures to correct the OPR. NOTE: These respective duty titles were also changed; however, the change was to shorten the duty title while retaining the same meaning.

Applicant's 1 Jan 95 and 1 Sep 96 DAFSC entries do not match the OPRs closing out for these periods. In both cases, the assignment history contains a DAFSC of "R11A4Y," while the OPRs contain a DAFSC of "11A4Y." AFPC/DPAIS1 has deleted the "R" prefix to have the assignment history coincide with the source documents on file. If the applicant believes the omission of the "R" prefix is in error, they refer him to the MPF Evaluations Office, to provide proof that the OPR is incorrect and follow procedures to correct the OPR.

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

The Chief, Officer Promotion and Appointment Branch, HQ AFPC/DPPPPO, states that applicant contends that the aeronautical/flying data reflected on his OSB is incorrect. Other than his statement, there is no evidence this information is incorrect. The applicant provided a memorandum from 305 OG/OGTM, dated 5 November 1997, which shows information current as of the date of the memorandum. However, this memorandum does not address what information should have been reflected at the time of the 21 July 1997 promotion board. Further, the applicant does not provide information or evidence to show that actions were taken prior to the board to correct aeronautical information on his OSB.

With regard to the missing citation of the AFAM 10LC, the applicant provided a copy of the Board Discrepancy Report, dated 15 July 1997, requesting the citation from his servicing Military Personnel Flight (MPF). This discrepancy report was filed in the applicant's Officer Selection Record (OSR). There is no evidence that action was taken by the applicant's losing or gaining MPF, or by the applicant, to ensure the citation was filed in the OSR.

There is also no evidence to show that action was taken to correct the school on his OSB. Applicant states the "University of Florida" is not correct.

AFI 36-2501, Officer Promotions and Selective Continuation, states that the eligible officer's responsibilities for promotion consideration are to determine eligibility timing for various promotion zone considerations; review his Officer Pre-selection Brief (OPB) for accuracy; review his PRF and OPR for accuracy; consider submitting a letter to the board; and, report any errors to the Military Personnel Flight Promotions. These responsibilities were the same when he was considered for promotion to major and for his considerations below-the-promotion zone on the last two lieutenant colonel promotions boards. The applicant does not provide any evidence or information to indicate he took action to review his OPB for accuracy. It is the applicant's responsibility, regardless of PCS status, and not the MPF or the Air Force, to ensure his records are correct prior to the convening of the board.

A review of the applicant's "94" and "96" OSBs indicate the same aircraft and the same academic education school were identical to the information listed on the "97" OSB. There is no evidence any effort was made by the applicant to correct his record or that he experienced unique circumstances. Granting relief will afford him an unfair advantage over the many other officers who made the effort to ensure their records were complete and correct. They recommend the application be denied.

A complete copy of the Air Force evaluation, with attachments, is attached at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 18 March 1998 for review and response within 30 days. As of this date, no response has been received by this office.

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. After a thorough review of the evidence of record and applicant's submission, we are not persuaded that his Officer Selection Brief

(OSB), reviewed by the Calendar Year 1997C (CY97C) Central Lieutenant Colonel Selection Board, should be corrected with regard to the Aeronautical/Flying Data; Assignment History; Academic Education; or, Decorations, as the applicant requests and, that he should be considered for promotion to the grade of lieutenant colonel by a special selection board (SSB). His contentions are duly noted; however, we do not find these uncorroborated assertions, in and by themselves, sufficiently persuasive to override the rationale provided by the Air Force. On reaching these conclusions, we considered the following:

a. With regard to the applicant's request to correct the Aeronautical/Flying Data on the OSB, we note, as stated by AFPC/DPPPPO, there is no evidence other than the applicant's statement to show that this information is incorrect or that actions were taken prior to the board to correct the aeronautical information on his OSB. Applicant submits no evidence that the flying data was incorrect other than the 5 November 1997 memorandum that shows the current information; however, it does not address what information should have been reflected at the time of the promotion board.

b. Regarding applicant's request to add the "M" prefix to his assignment history for the period 11 February 1992 and 2 October 1992, we agree with AFPC/DPAIS1 that the "1355B" duty AFSCs were accurately reflected on the OSB that met the promotion board. We are also not persuaded that the other changes to the applicant's duty AFSCs made by AFPC/DPAIS1 would have made the applicant a selectee. It appears that the Officer Performance Reports (OPRs) reflected the correct duty AFSCs which the promotion board reviewed.

c. The applicant is contending that the school listed on the OSB, University of Florida, is incorrect and should reflect Florida State University. It appears that the applicant has had previous promotion board considerations which indicated the same academic education information on the OSBs and is identical to the CY97C OSB. The applicant submits no evidence that he took action to correct this information prior to the convening of the promotion board.

d. With regard to applicant's request to correct his Officer Selection Record (OSR) by adding the citation for the Air Force Achievement Medal First Oak Leaf Cluster (AFAM 1OLC), we note that the award was reflected on the OSB that met the promotion board. We also note that a Board Discrepancy Report, dated 15 July 1997, was filed in his OSR to indicate the citation was missing. Therefore, the promotion board members were aware of the award. After reviewing the evidence of record, we are in agreement with the comments of the Air Force. In view of the above, we are compelled to conclude that the missing citation was a harmless error. We therefore agree with the recommendations of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has failed to sustain his burden

that he has suffered either an error or an injustice. Therefore, we find no compelling basis to recommend granting the relief sought.

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 3 December 1998, under the provisions of AFI 36-2603.

Mrs. Barbara A. Westgate, Panel Chair
Dr. Gerald B. Kauvar, Member
Ms. Rita J. Maldonado, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 2 Jan 98, w/atchs.
- Exhibit B. Applicant's Officer Selection Folder.
- Exhibit C. Letter, HQ AFPC/DPAIS1, dated 17 Feb 98.
- Exhibit D. Letter, HQ AFPC/DPPP0, dated 8 Mar 98.
- Exhibit E. Letter, AFBCMR, dated 18 Mar 98.


BARBARA A. WESTGATE
Panel Chair