DEPARTMENT OF THE AIR FORCE

 $\textbf{WASHINGTON}, \, \textbf{D.C.}$



AUG 27 1998

MEMORANDUM FOR THE CHIEF OF STAFF

Under the authority of Section 1552, Title 10, United States Code and AFI 36-2603, and having assured compliance with the provisions of the above regulation, the decision of the Air Force Board for Correction of Military Records is announced, and it is directed that:

The pertinent military records of the Department of the Air Force relating to be corrected to show that he was promoted to the grade of captain, Air National Guard and Air Force Reserve. with a Promotion Effective Date (PSD) and Promotion Service Date (PED) of 4 December 1996.

DONNA PITTENGER

Chief Examiner

Air Force Board for Correction

of Military Records

DEPARTMENT OF THE AIR FORCE



WASHINGTON, D.C.

AUG 27 1998

Office of the Assistant Secretary AFBCMR 98-00092

MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

SUBJECT:

Having carefully reviewed this application, we agree with the recommendation of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has been the victim of either an error or an injustice. Therefore, under the authority delegated in AFI 36-2603, the applicant's records will be corrected as set forth in the accompanying Memorandium for the Chief of Staff signed by the Executive Director or his designee.

Panel Chair

Attachment Ltr, ANG/MPPU dtd 13 Jul 98



DEPARTMENT OF THE AIR FORCE AIR NATIONAL GUARD

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MEMORANDUM FOR AFBCMR

[1 3 JUL 1998

FROM: ANG/DPPU

3500 Fetchet Avenue

Andrews AFB, MD 20762-5157

SUBJECT: Application for Correction of Military Records—

The attached Application for Correction of Military Records submitted by the applicant, a member of the Air National Guard, is forwarded for your review and action.

The applicant requests that a Supplemental Promotion Board be held as soon as possible to correct his date of promotion to Captain effective 4 Dec 96. If the 4 Dec 96, promotion date is not feasible, the applicant request a promotion effective date of 3 Mar 97. The applicant requests that he be granted back pay and allowances from the effective date of promotion forward.

This Headquarters recommends relief. The official military records should be changed to reflect the applicant met the Captains Promotion Board on 4 Dec 96, and was promoted to Captain with an effective date of 4 Dec 96. The applicant should be awarded all back pay and allowances due to the promotion processing error. The applicant was considered by the FY98 Reserve of the Air Force Captains Board and was non-selected for promotion. The FY98 boards were the first boards convened since the enactment of ROPMA on 1 Oct 96. ROPMA requires each service component to provide a (5) five year plan, however, we (the Air National. Guard) were unaware that there were going to be any lieutenant judge advocates considered by the Captain's board. The applicant was not on the ANG roster (he was assigned to USAFR) at the time ANG/MP projected promotions for FY 98. Based on this info, there was 0% selection rate. Through no fault of the applicant, there was no quota available. We were aware of this error during which time the board was convened, however, we could not change the quotas which had previously been approved by the Secretary of the Air Force. Therefore, we recommend relief to correct this error.

Questions should be directed to E-mail,

FOR THE COMMANDER

Chief. Utilization

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