

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-00459

JUN 24 1998

COUNSEL: MELVIN D. HORTON

HEARING DESIRED: NO

Applicant requests that his records be corrected to reflect that he received his upgraded skill level on 23 February 1979 and was promoted to the grade of senior airman, effective and with date of rank of 23 February 1979, with back pay. 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 adequately 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 applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

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. David W. Mulgrew, Mr. Frederick R. Beaman III, and Mr. Joseph G. Diamond considered this application on 16 June 1998, in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.



DAVID W. MULGREW  
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 MAR 1998

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 his date of rank (DOR) to senior airman (SRA) be changed from 1 Nov 80 to 23 Feb 79 and back pay due.

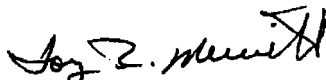
Reason for Request. Applicant believes because he completed his Career Development Courses (CDCs) on 17 Feb 79 and received his upgraded skill level 23 Feb 79 that he should have been promoted on the same date.

Facts. The applicant was promoted to SrA effective and with a date of rank of 1 Nov 80 per AFR 39-29, Table 5, Rule 1 (DOR announced by HQ AFMPC).

Discussion. This application has not been submitted within the three year time limitation. Promotions to this grade were controlled by the periodic promotion quotas to Major Air Commands by the Director of Military Personnel, Headquarters USAF. Promotions accomplished within each Major Air Command were limited to the quotas allocated for each grade. Quotas were vacancy driven and if there were no vacancies, although individuals were otherwise eligible, they could not be promoted. Our Monthly Increment Status records indicated for SrA (E4), time-in-grade (TIG) was between 3 Feb 79 and 2 Mar 79, promotion 1 Nov 80. His records reflect his date of rank for airman first class (A1C) was 8 Feb 79, which made him eligible to be promoted to SrA 1 Nov 80. In order to have been promoted to SrA during the Feb 79 time frame as he requests, his date of rank to A1C must have been between 12 Mar 77 and 16 Apr 77. Again, his DOR to A1C was 8 Feb 79 which was not eligible for promotion until 1 Nov 80, the date he was promoted. Consequently, he is not authorized or entitled to an earlier promotion date to SrA.

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



TONY R. MERRITT  
Chief, Inquiries/AFBCMR Section  
Enlisted Promotion & **Mil** Testing **Br**

Attachment:  
Extract Cy, **AFR 39-29**