

SECOND ADDENDUM TO
RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

FEB 24 1999

IN THE MATTER OF:

DOCKET NUMBER: 96-01420

COUNSEL: NONE

HEARING DESIRED: NO

RESUME OF CASE:

In an application dated 23 April 1996, applicant requested that he be considered for promotion to the grade of major by a Special Selection Board (SSB) for the Calendar Year 1994A (CY94A) Central Major Board with a reaccomplished Promotion Recommendation Form (PRF), a corrected duty title on his 14 July 1993 Officer Performance Report (OPR), and several duty history corrections on his Officer Selection Brief (OSB) prepared for the CY94A board.

On 4 February 1997, the Board considered and granted applicant's requests with respect to the duty assignments and OPR issues and recommended SSB consideration; however, they denied his request to replace the contested PRF. The Board concluded on the latter issue that while the applicant may disagree with the contents of the PRF, it is the responsibility of the senior rater to determine what factors to include on the PRF. A complete copy of the Record of Proceedings is attached at Exhibit J.

Applicant was considered and not selected for promotion to the grade of major by SSB on 19 May 1997. He subsequently submitted documentation indicating that the correction of his duty title was not changed on the Duty Assignment History on his OSB and again requested SSB. In addition, he submitted a reaccomplished PRF from the senior rater for the CY94A board. In two sessions, 21 October and 29 December 1997, the Board considered and denied applicant's further requests (Addendum ROP attached at Exhibit K).

The senior rater on the contested PRF submitted a letter in behalf of applicant (Exhibit L) requesting that the PRF be corrected. Applicant's case has been reopened at this time.

THE BOARD CONCLUDES THAT:

Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice warranting the replacement of the contested PRF with a reaccomplished form. Applicant's assertions are duly noted, as are the statements

provided by the senior rater over the course of this appeal. However, after thoroughly reviewing the entire case file, the majority of the Board is not sufficiently persuaded that the cited errors and omissions on contested PRF were so egregious to prevent applicant from receiving fair consideration by the selection board. In this respect, the applicant is reminded that central boards evaluate the entire officer record and it is highly unlikely these errors and omissions were the causes for his nonselection. The Board majority is compelled to conclude that these errors and omissions constitute nothing more than a harmless error. Therefore, in the absence of evidence to the contrary, the majority finds no compelling basis to recommend granting the requested relief.

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 7 December 1998, under the provisions of AFI 36-2603:

Mr. Benedict A. Kausal IV, Panel Chair
Mr. Richard A. Peterson, Member
Ms. Rita S. Looney, Member

By majority vote, the Board recommended denial of the application. Ms. Looney voted to correct the records but does not wish to submit a minority report. The following documentary evidence was considered:

Exhibit J. ROP, dated 18 Mar 97, w/atchs.
Exhibit K. Addendum ROP, dated 27 Mar 98, w/atchs.
Exhibit L. Letter, MGen Allen, dated 19 Aug 98.


BENEDICT A. KAUSAL IV
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

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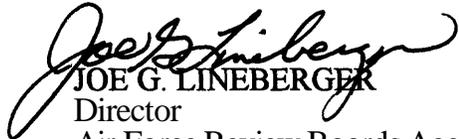
Office of the Assistant Secretary

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, AIR FORCE BOARD
FOR CORRECTION OF MILITARY RECORDS (AFBCMR)

SUBJECT: AFBCMR Application of [REDACTED]
SSAN: [REDACTED]

I have carefully reviewed the evidence of record and the recommendation of the Board members. A majority found that applicant had not provided sufficient evidence of error or injustice and recommended the case be denied. I concur with that finding and their conclusion that relief is not warranted. Accordingly, I accept their recommendation that the application be denied.

Please advise the applicant accordingly.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency