

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01312

COUNSEL: NONE

DEC 14 1998

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. The Discrepancy Memorandum from AFPC/DPPBR1 be removed from his Officer Selection Record (OSR).
2. The citations for the Meritorious Service Medal (MSM), Defense Meritorious Service Medal (DMSM) and DMSM, 1st Oak Leaf Cluster (1OLC) be added to his OSR.
3. He be considered for promotion to the grade of colonel by Special Selection Board for the Calendar Year 1997 (CY97) Central Colonel Board.

APPLICANT CONTENDS THAT:

On 30 March 1998, he requested a copy of — promotion folder as the records met the 97B colonels board. Discrepancy report on top of his records stated "MSM 1OLC was not in PDS". He states he does not have a MSM 1OLC. Also, MSM, DMSM and DMSM 1OLC citations were not in [redacted] folder.

In support of his appeal, the applicant provided a copy of a memorandum from HQ AFPC/DPPBR1 dated 3 December 1997, and copies of the citations for the MSM, DMSM, and DMSM, 1OLC.

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 lieutenant colonel.

Applicant was considered and not selected for promotion to the grade of colonel by the CY97B Central Colonel Board.

OPR profile since 1991, follows:

<u>PERIOD ENDING</u>	<u>EVALUATION OF POTENTIAL</u>
1 Jun 91	Meets Standards
17 Mar 92	Meets Standards
17 Mar 93	Meets Standards
17 Mar 94	Meets Standards
17 Mar 95	Meets Standards
2 Aug 95	Meets Standards
2 Aug 96	Meets Standards
21 Jan 97	Meets Standards

AIR FORCE EVALUATION:

The Chief, Promotion, Evaluation and Recognition Division, AFPC/DPPP, reviewed the application and states that the fact the discrepancy letter was filed in ██████ record would actually have been considered a "plus" by the CY97B selection board. While it is true the applicant has never been awarded an MSM, 10LC, removal of the discrepancy letter would not warrant SSB consideration. They further state the citations for the award of the MSM, DMSM, and DMSM, 10LC the applicant claim were missing from his OSR when he was considered for promotion by the CY97B board were filed in his OSR when his records met the board in December ██████. Specifically, the MSM was filed 15 September 1988, the DMSM was filed 11 February 1985, and the DMSM, 10LC was filed 3 August ██████. Therefore, SSB consideration is not warranted, as the citations were present for the CY97B board's review and were factored accordingly into their promotion assessment of the applicant. Based on evidence provided, they recommend denial of applicant's request.

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

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant reviewed the advisory opinion and states that the basis of his request for SSB consideration is the result of an unfair review of the OSR and nonselection for promotion. The AFPC/DPPP memorandum states that a discrepancy letter filed in his record would actually have been considered a plus. He states that this may have been true several years ago when competition was not as stiff. In summary, he states that fair consideration of records for his OSR promotion review can only occur at a SSB with erroneous discrepancy report removed and all award citations included.

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. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force and adopt their rationale as the basis for the conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

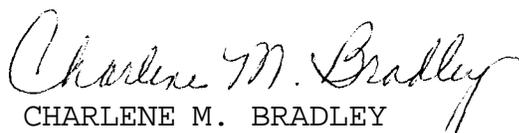
The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application in Executive Session on 10 November 1998, under the provisions of AFI 36-2603:

Ms. Charlene M. Bradley, Panel Chair
Mr. Jackson A. Diamond, Member
Mr. Terry A. Yonkers, Member
Ms. Phyllis L. Spence, Examiner (without vote)

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 6 May 98, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPP, dated 3 Jun 98.
- Exhibit D. Letter, AFBCMR, dated 22 Jun 98.
- Exhibit E. Applicant's Response, 15 Jul 98, w/atchs.


CHARLENE M. BRADLEY
Panel Chair



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

03 JUN 1998

MEMORANDUM FOR AFBCMR

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

SUBJECT: [REDACTED]

Requested Action. The applicant requests Special Selection Board (SSB) consideration by the CY97B (8 Dec 97) [REDACTED] central colonel selection board with a corrected officer selection record (OSR).

Basis for Request. The applicant contends his OSR was erroneous when it met the P0697B central board because it contained a discrepancy memorandum from HQ AFPC/DPPBR1 indicating a missing entry in the Personnel Data System (PDS) for the award of a Meritorious Service Medal, 1st Oak Leaf Cluster (MSM, 1OLC). He also contends the citations for the Meritorious Service Medal (MSM), Defense Meritorious Service Medal (DMSM), and DMSM, 1st Oak Leaf Cluster (1OLC), were missing from his OSR.

Recommendation. Deny.

Facts and Comments.

a. The application is timely. Application under AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports, would not be appropriate because the issues addressed in the applicant's appeal are not within the purview of that directive. The applicant has one nonselection to the grade of colonel by the [REDACTED] board.

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 copy of a memorandum from HQ AFPC/DPPPBR1 dated 3 Dec 97 and copies of the citations for the MSM, DMSM, and DMSM, 1OLC.

d. The applicant contends the "Discrepancy report" (HQ AFPC/DPPBR1 memorandum, dated 3 Dec 97), was erroneously filed in his OSR. The discrepancy report indicated the award of an MSM/1OLC and he has never been awarded an MSM/1OLC. He requests the discrepancy report be removed from his OSR and he receive SSB consideration for promotion to the grade of colonel by the [REDACTED] board. We would like to point out to the

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board, that the fact the discrepancy letter was filed in his record would actually have been considered a "plus" by the [redacted] selection board. While it is true the applicant has never been awarded an MSM, IOLC, removal of the discrepancy letter would not warrant SSB consideration.

e. The applicant believes the citations for the award of the MSM, DMSM, and DMSM, IOLC were missing from his OSR when he was considered for promotion by the [redacted] board. However, the documents he claims were missing from his OSR were filed in his OSR when his records met the board in Dec 97. Specifically, the MSM was filed 15 Sep 88, the DMSM was filed 11 Feb 85, and the DMSM, IOLC, was filed 3 Aug 92. Therefore, SSB consideration is not warranted, as the citations were present for the [redacted] board's review and were factored accordingly into their promotion assessment of the applicant.

[redacted]

Summary. Based on the evidence provided, our recommendation of denial is appropriate, and SSB consideration is not warranted.

[redacted signature]
[redacted]
[redacted] Col, USAF
Ch, Promotion, Evaluation and Recognition Div
Director of Personnel Program Management

[redacted]

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