

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

SEP 11 1998

IN THE MATTER OF:

DOCKET NUMBER: 96-01276

COUNSEL: None

HEARING DESIRED: Yes

RESUME OF CASE:

In an application, dated 2 May 1996, the applicant requested the following:

a. He be promoted to the grade of major, effective 24 July 1994 (the date he was promoted to the grade of major under the Reserve Officer Promotion Act (ROPA)).

b. He be voluntarily retired in the grade of major based on 20 years of service, effective the first day of the month following the Board's decision.

c. He be given a modified retirement ceremony.

d. He be entitled to all back pay and allowances and reinstatement of full benefits and privileges.

e. He receive monetary compensation for lost benefits.

f. He receive compensation for leave days that would have accumulated while on active duty.

g. He receive compensation for the purchase of a home in Denver, Colorado.

h. The government assist him in placement in a government job in the pay scale of GS-10 or higher.

i. He receive an apology from the Secretary of the Air Force signed by a lieutenant general or higher.

On 21 May 1997, the Board considered the application and found sufficient evidence to warrant providing the applicant consideration for promotion by an SSB for the CY92 Major Selection Board. However, the Board found insufficient relevant evidence had been presented to demonstrate the existence of probable error or injustice regarding the remainder of his requests. A complete copy of the Record of Proceedings is attached at Exhibit L.

On 12 January 1998, the applicant was considered and selected for promotion to the grade of major by an SSB for the CY92 Major Selection Board.

In letters, dated 16 January 1998 and 19 March 1998, the applicant requested reconsideration of his application and provided additional evidence. Applicant's complete submissions, with attachments, are attached at Exhibits M and N.

On 30 April 1998, the Senate confirmed the applicant's promotion to the grade of major.

In a letter, dated 3 August 1998, the applicant amended his request to indicate that he was requesting retirement in the grade of major as of the date of the Board's decision. Applicant's complete submission is attached at Exhibit O.

THE BOARD CONCLUDES THAT:

Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. In this respect, we note that the applicant was considered and selected for promotion to the grade of major by the CY92 Major Selection Board. The applicant notes that he was promoted to, and has served in the Reserve grade of major since his release from active duty for virtually the same length of time he would have held the grade on active duty. In view of the results of the SSB and given the applicant's desire not to return to active duty, we believe the applicant should be retired for length of service effective 1 August 1998. Although the applicant has requested to be retired effective the date of the Board's decision, since a member must be retired effective the first day of the month (unless for disability reasons), we have selected 1 August 1998 as the effective date of his retirement. Therefore, we recommend his records be corrected to the extent indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that:

a. He was not released from active duty on 31 December 1992, but was continued on active duty and was ordered Permanent Change of Station (PCS) to his home of record pending further orders.

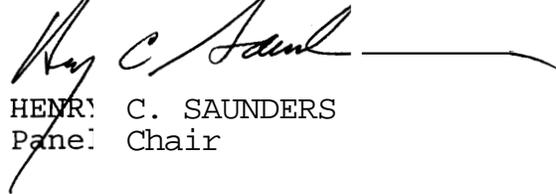
b. On 31 July 1998, he was released from extended active duty and on 1 August 1998, he retired for length of service in the grade of major.

The following members of the Board considered this application in Executive Session on 18 August 1998, under the provisions of AFI 36-2602:

Mr. Henry C. Saunders, Panel Chair
Mr. Dana J. Gilmour, Member
Ms. Ann L. Heidig, Member
Mr. Phillip E. Horton, Examiner (without vote)

All members voted to correct the records, as recommended. The following documentary evidence was considered:

Exhibit L. Record of Proceedings, dated 11 Jul 97, w/atchs.
Exhibit M. Letter, Applicant, dated 16 Jan 98, w/atchs.
Exhibit N. Letter, Applicant, dated 19 Mar 98, w/atchs.
Exhibit O. Letter, Applicant, dated 7 Aug 98, w/atchs.



HENRY C. SAUNDERS
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D. C.

SEP 11 1998

Office of the Assistant Secretary

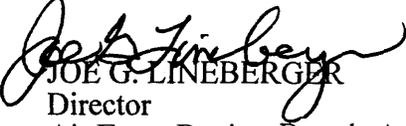
AFBCMR 96-01276

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that:

- a. He was not released from active duty on 31 December 1992, but was continued on active duty and was ordered Permanent Change of Station (PCS) to his home of record pending further orders.
- b. On 31 July 1998, he was released from extended active duty and on 1 August 1998, he retired for length of service in the grade of major.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency