

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

JUN 12 1998

IN THE MATTER OF:

DOCKET NUMBER: 97-03573

[REDACTED]

COUNSEL: NONE

[REDACTED]

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her Officer Performance Report (OPR) which closed out 15 Jun 97, be included for consideration on the CY97C Lt Col selection board through the Special Selection Board (SSB).

APPLICANT CONTENDS THAT:

In accordance with (IAW) AFI 36-2402, OPRs are used to document performance. It is a permanent record of an officer's performance over a specific period. It assesses and documents what the officer did, how well it was done, and potential based on that performance. She states that her OPR which closed out 15 Jun 97 was not considered by the CY97 Lt Col selection board which convened 21 Jul 97. She also states that her record, as viewed by the Central Selection Board, omitted over one year of current documented performance. To justly select officers for promotion, the Central Selection Board should consider/review the officer's entire record. If the entire record is not considered/reviewed, an injustice has been done.

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 major.

Applicant was considered and not selected for promotion to the grade of lieutenant colonel by the CY97C lieutenant colonel board.

OPR profile since 1990 follows:

<u>PERIOD ENDING</u>	<u>EVALUATION OF POTENTIAL</u>
20 Jun 90	Meets Standards
20 Jun 91	Meets Standards

1 Nov 91	Meets Standards
1 Nov 92	Meets Standards
29 Jul 93	Meets Standards
29 Jul 94	Meets Standards
15 Jun 95	Meets Standards
#15 Jun 96	Meets Standards
*15 Jun 97	Meets Standards

*Report in question

#Top report on file at time of board

AIR FORCE EVALUATION:

The Chief, Appeals and SSB Branch, AFPC/DPPPA, reviewed the application and states that AFI 36-2402, paragraph 3.6.4.3, states OPRs are due for file at HQ AFPC no later than 60 days after the closeout date. The OPR was not due for file until 15 Aug 97 and, therefore, not required to be on file for the board. In this case, the applicant has provided nothing from the evaluators to indicate what steps, if any, were taken to ensure the OPR was expedited in time to be considered by the board. They also note that each officer eligible for promotion consideration is advised of the entitlement to communicate with the board president. The applicant could have used this means to inform the board president of her accomplishments during the Jun 96 through Jun 97 rating period. Therefore, 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:

Applicant reviewed the evaluation and states that from the evidence provided, her evaluators took steps to ensure her OPR was expedited in time to be considered by the CY97C Lt Col selection board. She took every step a reasonable person could be expected to undertake given the circumstances. She states it was impossible to communicate with the board the information she considered important because it was not a matter of record as required by AFI 36-2402, attachment 1. She further states that she strongly believes that it is not the intent of the OPR system nor the Air Force promotion system to penalize her for a situation over which she did all she could and the system failed her. She respectfully request and trust that the AFBCMR will review her case and based on its merits, documented evidence and support, correct an unfortunate injustice that has had a lasting impact on her, her family and her military career.

In support of the appeal, she provides a statement from the rater, stating that they were geographically separated from their MPF being based in Columbus, Ohio and the MPF located at [REDACTED] AFB, [REDACTED] DC; and because the applicant is in the acquisition career field, her OPR must also be reviewed by an acquisition examiner, located at [REDACTED]. She also provided a statement from the Military Personnel Technician, who states, that she annotated the OPR with a note that stated that it should be expedited in time to be considered by the 21 Jul 97 Lt Col Selection Board. She also states she followed through with these instructions and coordinated with HQ DLA and the OPR was then forwarded to HQ DLA by 2-day Priority Mail on 18 Jun 97.

A copy of applicant's response, with attachments, 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. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After reviewing the evidence of record, we are persuaded that the contested OPR should have been a part of applicant's record when she was considered for promotion by the CY97 lieutenant colonel selection board. In this respect, we note the statement submitted from the rater who states that they were geographically separated from their MPF being based in [REDACTED] and the MPF located at [REDACTED], that because the applicant was in the acquisition career field, the OPR had to be reviewed by an acquisition examiner at [REDACTED] and, that he coordinated with the MPF at [REDACTED] that the OPR be processed and expedited to arrive at AFPC prior to the selection board convening date of 21 July 1997. The statement from the Military Personnel Technician at [REDACTED] verifies that the contested OPR was intended to be expedited in time to be a part of applicant's records when considered for promotion by the CY97 selection board. In view of these statements and noting that the OPR had to be sent to at least three separate locations for review, we believe that the applicant has established that the rating official intended for the OPR in question to be a matter of record when the CY97 selection board convened on 21 July 1997. Therefore, we recommend her record, to include the OPR closing 15 June 1997, be considered for promotion to the grade of lieutenant colonel by SSB for the CY97 selection board.
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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, to include the Officer Performance Report rendered for the period 16 June 1996 through 15 June 1997, be considered for promotion to the grade of lieutenant colonel by Special Selection Board for the Calendar Year 1997C Central Lieutenant Colonel Board.

The following members of the Board considered this application in Executive Session on 28 April 1998, under the provisions of AFI 36-2603:

Mrs. Barbara A. Westgate, Panel Chair
Ms. Rita S. Looney, Member
Ms. Dorothy P. Loeb, Member
Ms. Phyllis L. Spence, Examiner (without vote)

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

- Exhibit A. DD Form 149, dated 24 Nov 97.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPPA, dated 7 Jan 98.
- Exhibit D. Letter, AFBCMR, dated 27 Jan 98.
- Exhibit E. Applicant's Response, dated 24 Feb 98.


BARBARA A. WESTGATE
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUN 12 1998

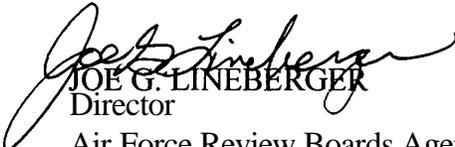
Office of the Assistant Secretary

AFBCMR 97-03573

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] [REDACTED], to include the Officer Performance Report rendered for the period 16 June 1996 through 15 June 1997, be considered for promotion to the grade of lieutenant colonel by Special Selection Board for the Calendar Year 1997C Central Lieutenant Colonel Board.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency