

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS
FEB 24 1999

IN THE MATTER OF:

DOCKET NUMBER: 98-00135

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His Officer Selection Record (OSR) and Officer Selection Brief (OSB), reviewed by the Calendar Year (CY) 1997C Central Lieutenant Colonel Selection Board, be corrected in the following areas:

a. Assignment History: Add the duty title of "Assistant Operations Officer" to the OSB.

b. Add the "K" prefix to his Duty Air Force Specialty Code (DAFSC), effective 8 May 97.

2. He be considered for promotion to the grade of lieutenant colonel by special selection board (SSB) for the CY97C Central Lieutenant Colonel Selection Board.

APPLICANT CONTENDS THAT:

There are two (2) errors on his OSB that met the Lieutenant Colonel promotion board in July 1997. First, the most recent Duty Title, Assistant Operations Officer, does not appear on the top line. Second, the "K" Instructor prefix does not appear on his DAFSC.

In support of his appeal, the applicant submits a copy of his CY97C OSB and a copy of AF Form 2096 (Classification/On-the-Job Training Action).

Applicant's submission is attached at Exhibit A.

STATEMENT OF FACTS:

Applicant was appointed a second lieutenant in the Reserve of the Air Force on 6 November 1981.

Applicant was considered, but not selected, by the CY97C Central Lieutenant Colonel Selection Board which convened on 21 July 1997.

Applicant's Officer Performance Report (OPR) profile is as follows:

<u>PERIOD ENDING</u>	<u>OVERALL EVALUATION</u>
5 Nov 94	Meets Standards
5 Nov 95	Meets Standards
22 Dec 96	Meets Standards
# 31 May 97	Meets Standards
30 Nov 97	Meets Standards

Top report at time of nonselection for promotion to the grade of lieutenant colonel by the CY97C Lieutenant Colonel Board.

AIR FORCE EVALUATION:

The Chief, Reports and Queries Team, Directorate of Assignments, HQ AFPC/DPAIS1, states that based on the Officer Performance Report (OPR) [closing 31 May 97] in his officer selection folder (OSF), they concur with the award of the "K" prefix to the 8 May 1997 Duty Air Force Specialty Code (DAFSC). However, they do not concur with the AF Form 2096 submitted by the applicant, nor the award of a new duty entry as the "Assistant Operations Officer" effective 1 June 1997. The AF Form 2096 is changing the applicant's DAFSC to include the "K" prefix and changing his duty title to read "Assistant Operations Officer," both effective 8 May 1997. The "Assistant Operations Officer" duty title conflicts with the duty title on the OPR closing 31 May 97 as the "48th Operations Group Quality Advisor." In addition, the only area that referenced a 1 June 1997 effective date on the AF Form 2096 was Block V, and this pertained to the change of reporting official (CRO). **An** officer must hold a duty for 60 days for it to be a part of his duty history. They defer to HQ AFPC/DPPPAB.

A copy of the Air Force evaluation is attached at Exhibit C.

The Chief, Appeals and SSB Branch, HQ AFPC/DPPP, states that during the month of May, both an OPR and PRF were due and written on the applicant. The documentation to effect the DAFSC and duty title change is invalid and was not submitted until after both reports were written. The OPR closing 31 May 97 reflects "K12F3F" and is supported by comments in the body of the report; but the PRF reflects only 12F3F with no mention of the applicant's achievement. Further, the rater's comments and the additional rater's comments of the 31 May 97 OPR both mention that the applicant was selected to be the Assistant Operations Officer - obviously a future assignment. It is believed that both the OPR and PRF were rendered in good faith by the

evaluators based on their knowledge of the applicant and his duties at the time the reports were rendered. Obviously, the senior rater was unaware of the applicant's upgrade to instructor pilot when he wrote the contested PRF since the paperwork was not initiated until after the PRF process. If the applicant can obtain and submit a statement from his senior rater attesting to that fact, they, AFPC/DPPP, have no objection to the board directing a change on the PRF only by adding the "K" prefix to the applicant's DAFSC.

AFPC/DPPP does not believe a change to the applicant's duty title on the OSB is warranted, especially since an officer must hold a duty title for 60 days for it to be a part of his duty history. The AF 2096 submitted by the applicant to effect the DAFSC change is not valid because it was not properly coordinated at the military personnel flight (MPF). Additionally, it was submitted after the OPR and PRF were written and were a matter of record. The OPR rendered to the applicant with a close out date of 31 May 1997 authenticates the duty title "48th Operations Group Quality Advisor." A duty history entry is not authorized at all for the period from 1 June 1997 showing the new duty title "Assistant Operations Officer," DAFSC **K12F3F**, until the appropriate documentation, properly coordinated and approved, is effected.

AFPC/DPPP is not convinced the applicant showed the proper diligence to ensure his record was accurate when it met the CY97C board. Each eligible officer considered by the CY97C board received detailed instructions for review of their pre-selection briefs and associated records. It was the applicant's responsibility to notify the board of the new duty title, especially since the AF Form 2096 was never properly coordinated and approved. Additionally, the applicant could have written a letter to the promotion board president. They recommend the applicant's requests be denied.

A copy of the Air Force evaluation is attached at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 13 April 1998 for review and response within 30 days. As of this date, no response has been received by this office.

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. After a thorough review of the evidence of record and applicant's submission, we are not persuaded that his Officer Selection Record (OSR) and Officer Selection Brief (OSB), reviewed by the Calendar Year 1997C (CY97C) Central Lieutenant Colonel Selection Board, should be corrected as he requests and that he should be considered for promotion to the grade of lieutenant colonel by a special selection board (SSB). His contentions are duly noted; however, we do not find these uncorroborated assertions, in and by themselves, sufficiently persuasive to override the rationale provided by the Air Force. We believe that applicant's contentions have been adequately addressed by the Air Force Offices of Primary Responsibility (OPR). We therefore agree with the recommendations of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has failed to sustain his burden that he has suffered either an error or an injustice. Therefore, we find no compelling basis to recommend granting the relief sought.

THE BOARD DETERMINES THAT:

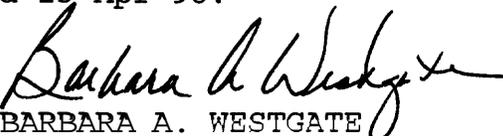
The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence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

The following members of the Board considered this application in Executive Session on 3 December 1998, under the provisions of AFI 36-2603.

Mrs. Barbara A. Westgate, Panel Chair
Dr. Gerald B. Kauvar, Member
Ms. Rita J. Maldonado, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 5 Jan 98, w/atchs.
- Exhibit B. Applicant's Officer Selection Record.
- Exhibit C. Letter, HQ AFPC/DPAIS1, dated 27 Feb 98.
- Exhibit D. Letter, HQ AFPC/DPPP, dated 24 Mar 98.
- Exhibit E. Letter, AFBCMR, dated 13 Apr 98.


BARBARA A. WESTGATE
Panel Chair