RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2016-00241

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His failing Fitness Assessment (FA) score on 10 Dec 15 be removed from the Air Force Fitness Management System (AFFMS) II.

APPLICANT CONTENDS THAT:

He should have been granted a waiver for this FA, and been tested on waist measurement only. He was recovering from radiation treatment from cancer and his PCM failed to update his profile before the test. He profile was properly updated after the test failure.

The applicant’s complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant served in the grade of technical sergeant during the matter under review.

According to the documentation submitted by the applicant, on 10 Dec 15, he failed his FA.

The remaining relevant facts pertaining to this application are contained in the memorandum prepared by the Air Force office of primary responsibility (OPR), which is attached at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DP2SSM recommends denial indicating there is no evidence of an error or an injustice. In accordance with AFI 36-2905, *Fitness Program*, dated 21 Oct 13, any military member can appeal their FA via Wing Appeal and subsequently through the AF Fitness Assessment Appeals Board (FAAB), within two years of discovering an error/injustice. The applicant’s appeal was not considered by his wing commander, nor was it reviewed by the FAAB; therefore, his request was not submitted in accordance with Air Force guidance.

Recommend denial as the applicant has not exhausted all available avenues of administrative relief prior to seeking correction of his military records.

A complete copy of the AFPC/DP2SSM evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 6 Jul 16 for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1.  The applicant has not 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 error or injustice. In this respect, we note this Board is the highest administrative level of appeal within the Air Force. As such, an applicant must first exhaust all available avenues of administrative relief provided by existing law or regulations prior to seeking relief before this Board, as required by the governing Air Force Instruction. The Air Force office of primary responsibility has reviewed this application and indicated there is an available avenue of administrative relief the applicant has not first pursued. In view of this, we find this application is not ripe for adjudication at this level as there exists a subordinate level of appeal that has not first been depleted. Therefore, in view of the above, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that all available avenues of administrative relief have not been exhausted; and the application will only be reconsidered upon submission of documentary evidence indicating that said avenues of administrative relief have been exhausted.

The following members of the Board considered AFBCMR Docket Number BC-2016-00241 in Executive Session on 21 Mar 17 under the provisions of AFI 36-2603:

Panel Chair

Member

Member

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 18 Dec 15, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Memorandum, AFPC/DP2SSM, dated 4 May 16.

Exhibit D.  Letter, SAF/MRBR, dated 6 Jul 16.

Pursuant to paragraph 1 of AFI 36-2603 (Title 32 Code of Federal Regulations, Part 865.1), it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.