

JAN 21 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-02451

COUNSEL: NONE

HEARING DESIRED: NO

Applicant requests that his pay date be changed from 25 September 1986 to 11 May 1986. Applicant's submission is at Exhibit A.

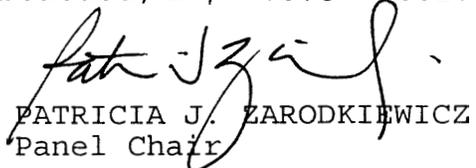
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). Applicant's response to the advisory-opinion is at Exhibit E.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been adequately rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Ms. Patricia J. Zarodkiewicz, Mr. Edward H. Parker, and Mr. Patrick R. Wheeler considered this application on 15 January 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


PATRICIA J. ZARODKIEWICZ
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. SAF/MIBR Ltr Forwarding Advisory Opinion
- E. Applicant's Response



DEPARTMENT OF THE AIR FORCE
AIR UNIVERSITY (AETC)



3 Oct 97

MEMORANDUM FOR AFBCMR

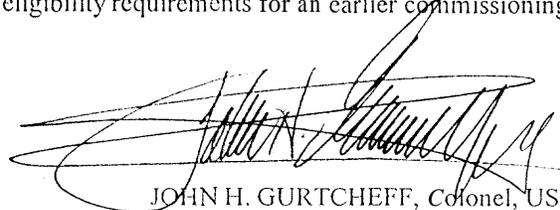
FROM: HQ AFROTC/RR
551 East Maxwell Blvd
Maxwell AFB AL 36112-6106

SUBJECT: Application for Correction of Military Records (DD Form 149)
[REDACTED]

1. **Requested Action:** To change pay date from 25 Sep 86 to 11 May 86.
2. **Basis for Request:** [REDACTED] was not informed that his date of commission (DOC) would establish his pay date. The establishment of a 25 Sep 86 pay date has affected him profoundly.
3. **Background:** [REDACTED] attended AFROTC Det [REDACTED], and was enlisted in the Obligated Reserve Section (ORS) of the Ready Reserve on 26 Oct 84. Based upon a completed academic plan to determine completion of academic requirements, a DOC was established for May 86. Upon receipt of Spring 86 grades, it was determined that [REDACTED] received an incomplete. This prevented him from commissioning on schedule. Subsequently, [REDACTED] turned in the necessary paperwork to successfully complete all academic program requirements and was commissioned 25 Sep 86. Based on commissioning, a pay date of 25 Sep 86 was established.
4. **Facts:** 1) A May 86 DOC was originally established; 2) [REDACTED] did not meet grade requirements (receipt of an Incomplete grade) for commissioning; 3) Academic requirements were met and he was commissioned 25 Sep 86; 4) Pay date based on DOC: 25 Sep 86; 5) Entered EAD: 1 Oct 86.
5. **Discussion:** The unit commander has authority to change a DOC when it is within the same fiscal year. [REDACTED] failure to complete academic requirements IAW his contract resulted in the adjustment of his DOC to 25 Sep 80. Since the change fell within the same fiscal year as his originally established DOC of May 86, the authority rested with the unit. [REDACTED] would have been eligible for commissioning only after the unit received certification from the Registrar or other institutional official authorized to confirm degree requirements that he had completed degree requirements. This confirmation

of degree requirements could not have been made until the action that resulted in the Incomplete grade was resolved. The Incomplete grade would have been resolved when [REDACTED] turned in the necessary paperwork. The actual DOC is the date an individual takes the Oath of Office. [REDACTED] executed the Oath of Office on 25 Sep 86.

6. Recommendation: Disapprove - does not meet eligibility requirements for an earlier commissioning date.



JOHN H. GURTCHEFF, Colonel, USAF
Registrar, Air Force ROTC

[REDACTED]

[REDACTED]

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8.8.1.2. DD Form **2005**, Privacy Act Statement-Health Care Records (two copies).

8.8.1.3. Standard Form **93**, Report of Medical History (original and one copy).

8.8.1.4. All other medical documents associated with the cadet's commissioning examination (original). This includes but not limited to, the EKG, dental x-rays, supplemental medical records, consultation sheets, DD Form **2480**, DODMERB Report of Dental Corrections, etc.

8.8.1.5. AF Form **1056** (original and one copy). Attach copies of current and superseded AF Forms **1056** and any addendums to each copy.

8.8.1.6. AF Form **286**, Personnel Reliability Certificate, for cadets with a pilot, navigator, or missile duty commissioning examination (original and one copy).

8.8.1.7. DD Form **4**, Enlistment/Reenlistment Document-Armed Forces of the United States (original). For prior service cadets also send the prior service DD Form **4** to help AFPC verify service dates.

8.8.1.8. DD Form **214**, Certificate of Release or Discharge from Active Duty (for prior service cadets only)(one copy)).

8.8.2. Retention of Records. File and maintain copies of all documents in the cadet's UPRG for 1 year. Final disposition instructions for AFROTC student records are contained in AFI **37-138**, Disposition of Air Force Records-Records Disposition Standards, table **45-1**, rules **7, 8, 9, and 10**. Do not retire any student records to the staging area.

8.8.3. Forwarding Application. Before submitting the application for appointment, use attachment **5** to ensure the AF Form **24** is correctly prepared and signed. Forward the AF Form **24** (original and one copy) and required attachments with the commissioning documents (reference paragraph **8.13.1**). Retain the triplicate copy of the AF Form **24** in the cadet's UPRG.

8.9. Review of Cadet Qualifications. During the weeks before the scheduled commissioning date, ensure the cadet meets the prerequisites for appointment. If the cadet is found not to meet all commissioning prerequisites, take appropriate action to change the DOC, qualify the cadet, obtain waivers, or disenroll if applicable.

8.9.1. Medical. Each cadet must have a *current* medical examination certified for their AFSC by HQ

AETC/SGPS. *Do not commission a cadet on medical recheck or without a current certified physical for their AFSC on hand at the unit.*

8.9.2. Security Clearance. Each cadet must have a security clearance before commissioning. Counsel in writing at least **45** days before scheduled commissioning, any cadet without a clearance that commissioning is not possible until a clearance is granted.

8.9.3. Character. Do not commission individuals who have criminal charges pending against them or are pending waiver of any involvement with civil, military, or school authorities. Review the AFROTC Form **35** and supporting documents of each cadet to ensure all actions specified in AFROTCI **36-11**, chapter **1**, are accomplished. If criminal charges are pending against the cadet, forward an AFROTC Form **22** package to HQ AFROTC/RRFP (reference AFROTCI **36-11**, chapter **5**).

8.9.4. Program Completion. Cadets must successfully complete the entire AFROTC program. Program completion is not applicable to those disenrolled for the purpose of early entry into a graduate-level health professions school (reference paragraph **3.6**).

8.9.5. Graduation. A cadet is eligible for commissioning only after the unit receives written certification from the Registrar or other institutional official authorized to confirm degree requirements that the cadet has completed degree requirements. For nurse cadets, forward a copy of this memorandum to HQ AFPC/DPAMN.

8.9.6. DOG/DOC. Ensure the DOG and DOC are correct in CAPS.

8.10. Failure to Meet Commissioning Requirements. If a cadet is not commissioned on the date scheduled, but will meet commissioning requirements within the fiscal year, the commander may change the DOC according to AFROTCI **36-11**, chapter **2**. Ensure a changed AFROTC Form **53** (reference paragraph **8.4**) is submitted and CAPS is updated. Also, ensure the certified medical examination is valid for the new DOC.

8.11. Declination of Appointment. If for any reason a cadet declines appointment as a commissioned officer, initiate disenrollment action according to AFROTCI **36-11**, chapter **6**. Change the DOC in CAPS to an anticipated completion date of disenrollment.

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