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UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2022-02464

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. The "Given Under My Hand Date" (GUMHD) on her Air Force Achievement Medal (AFAM), with first oak leaf cluster (AFAM, w/1 OLC) be backdated from 24 Jan 22 to reflect 1 Oct 21.
2. The GUMHD on her Air Force Commendation Medal (AFCM), with third oak leaf cluster (AFCM, w/3 OLC) be backdated from 7 Mar 22 to reflect 1 Oct 21.
3. She be considered by a special selection board (SSB) for the CY21D Major Line of the Air Force (LAF) Major Central Selection Board (CSB) with the corrected decorations.

APPLICANT'S CONTENTIONS

In May 2022, it was discovered that her AFAM with period of award 15 Sep 21 to 24 Sep 21 and AFCM with award period 15 Aug 21 to 31 Aug 21 were not considered during the CY21 promotion board. Around the time and shortly after the award periods for the decorations, Aviano Air Base was highly involved in the planning for Operation ALLIES REFUGE and NATO level exercises. Due to these and other mission requirements, the decorations were not finalized prior to the record cutoff date for the CY 21 Major LAF CSB (P0421D).

She previously submitted an AFBCMR request, which was denied with the direction from AFPC to administratively correct the GUMHD to reflect 1 Oct 21. She has since had the decorations corrected, has exhausted all administrative avenues, and should receive SSB reconsideration for the CY 21 Major LAF CSB.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a Regular Air Force captain (O-3).

On 30 Nov 21, the CY21D Major LAF CSB (P0421D) convened.

On 24 Jan 22, as recorded by the GUMHD, the applicant was awarded the AFAM w/1 OLC for the inclusive period 15 Sep 21 to 24 Sep 21.

On 7 Mar 22, as recorded by the GUMHD, the applicant was awarded the AFCM w/3 OLC for the inclusive period 15 Aug 21 to 31 Aug 21.

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Controlled by: SAF/MRB CUI Categories: SP-MIL/SP-PRVCY Limited Dissemination Control: N/A POC: SAF.MRBC.Workflow@us.af.mil
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On 26 Jul 22, according to an e-mail from AFPC/DP2SP (Officer Promotions), provided by the applicant, AFPC indicates that they were in receipt of her AFBCMR request, but instructed the applicant to obtain an amendment to the GUMHD from the approval official to correct the decorations.

On 27 Jul 22, the AFBCMR administratively closed the applicant's request for failure to exhaust an available administrative remedy and instructed the applicant to follow the instructions provided by AFPC to correct the GUMHD of her decorations.

On 5 Aug 22, AF Forms IMT 973, *Request and Authorization for Change of Administrative Orders*, provided by the applicant and signed by her commander, show her commander's request to amend the GUMHD on her AFAM w/1 OLC and AFCM w/3 OLC to reflect 1 Oct 21. In addition, the applicant included two corrected decorations with a GUMHD of 1 Oct 21.

On 16 Aug 22, an e-mail from AFPC/DP1ORM (AFPC ARMS POC) to the applicant's servicing MPF indicates that her corrected decorations were received and would be placed in the Automated Records Management System (ARMS) by 18 Aug 22.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

APPLICABLE AUTHORITY/GUIDANCE

Background: Historically the "Given Under My Hand Date" is the date the approving official signed the approved decoration, thus making it a matter of record. While AFI 36-2803, *The Air Force Military Awards and Decorations Program*, dated 18 Dec 13, with incorporated changes dated 8 Feb 18, is absent information regarding a "Given Under My Hand Date"; however, DAFMAN 36-2806, *Military Awards: Criteria and Procedure*, dated 27 Oct 22, which replaced AFI 36-2803 states in Attachment 4, *Preparation and Distribution of Certificates, Citations and Special Orders*, Paragraph A4.2.2. that, **"the 'Given Under My Hand' date on the certificate is the date the award was approved."** In this case the "Given Under My Hand" date was not signed until, 24 Jan 22 (AFAM) and 7 Mar 22 (AFCM), after the date the Board convened on 30 Nov 21 and therefore was not considered by the Board. However, the applicant's argument is that the inclusive period of the award (or the act and achievement) was prior to the date the Board convened and should now be considered material information that was not previously considered and as such warrants an SSB.

AFPC/DP3SP (Recognitions) and AFPC/DP2SSP (Officer Promotions), have recently changed their stance on correcting the "Given Under my Hand Date." In the past, cases have been closed for "Failure to Exhaust Remedies" and applicants were told that they must first request an amendment to the "Given Under My Hand Date" from the approval authority, who may approve or deny based on the circumstances. However, after further review of the regulation, AFPC has now advised that the "Given Under My Hand Date" is unamendable by the approval authority. In addition via e-mail dated, 16 Mar 20, titled "Policy guidance needed for Decorations – "Given Under My Hand Date," Headquarters Air Force A1 confirmed that the "Given Under My Hand Date" is the date that the commander approves the decoration, which is also the same for all Sister Services, Joint Staff and DoD. As such, AFBCMR is the only option that the applicant has is to request a change to the "Given Under My Hand Date."

Regulation Guidance:

AFI 36-2803, *The Air Force Military Awards and Decorations Program*, dated 18 Dec 13, incorporating changes 8 Feb 18

2.2.2. Submit decoration recommendations in a timely manner. Should the member be nonrecommended for a decoration, the DECOR6 should be signed and returned to the commander no later than 10 duty days prior to MPS or other established suspense. Should the member be recommended for a decoration, complete a decoration recommendation as soon as possible following the act or achievement; or before the period of service. Due to statutory time limitations, each recommendation for a decoration (except for the PH) must be placed into official channels within 2 years of the date of the act or achievement, or last day of the period of service, and final action (approval/disapproval, upgrade/downgrade) must be done within 3 years of the act, achievement, or service performed. However, to meet the objective of prompt recognition (“Pin ‘Em Where You Win ‘Em” philosophy), supervisors must not delay in submitting a decoration to the point of 2 years from the act, achievement, or service, since this may impact other critical personnel matters. (T-3).

AFMAN 36-2806, *The Air Force Military Awards and Decorations Program*, dated 10 June 2019,

A3.31.2: Recommendations are formally entered into official military channels within 3 years and awarded within 5 years of the termination date of the act, achievement, or service performed.

A4.3.2. It is highly recommended units support the Air Force “Pin ‘Em Where You Win ‘Em” practice which promotes timely approval and presentation of decorations to members prior to departing the organization, unless the member specifically requests otherwise.

DAFMAN 36-2806, *Military Awards: Criteria and Procedure*, dated 27 Oct 22

2.26.1. It is highly recommended units support the “Pin ‘Em Where You Win ‘Em” practice which promotes timely approval and presentation to members prior to departing the organization, unless the member specifically requests otherwise.

3.2.2. Recommendations are formally entered into official military channels within 3 years and awarded within 5 years of the termination date of the act, achievement, or service performed. (T-0). However, it is DAF’s goal that nominations for valor decorations be initiated within 90 days of the act justifying the award.

A4.8. Correcting a Decoration. Approval authorities may correct a certificate, citation, special order, or combined certificate and special order when discrepancies are identified and/or when special order amendments change information on the elements. For example, if a special order amendment changes the inclusive dates of a decoration, the approval authority who approved the decoration may correct certificate and citation to match the changes.

A4.2.2. The “Given Under My Hand” date on the certificate is the date the award was approved. This will not be a future date.

According to AFI 36-2501, Officer Promotions and Selective Continuation, Chapter 6, Special Selection Boards

6.3.2. Pursuant to Formal Appeal. The AFBCMR can grant SSBs when they determine an officer's nonselection for promotion resulted because of an error or injustice in the officer's record.

6.5.2. Consider the records of officers as they would have appeared to the original board had the officers been properly considered. Compare the officers' records with benchmark records from the original boards (paragraph 3.3.3).

AIR FORCE EVALUATION

AFPC/DPMSPP recommends denying the application. The applicant met the CY21D P0421D LAF-C CSB for promotion to the grade of Major (O-4), but was a non-select within the board. As such, the applicant is requesting the inclusion of an AFAM with an award period of 15 Sep 21 through 24 Sep 21, as well as an AFCM with an award period of 15 Aug 21 through 31 Aug 21. While the period for both of these awards took place prior to the board convening date of 30 November 2021, these medals were not awarded prior to the P0421D LAF-C board and as such, were not included within this board.

In accordance with the Department of the Air Force Evaluations and Recognition Programs policy, the "Given Under My Hand" date reflected upon a member's decoration is the official date of Commander approval and this date may not be administratively changed. In this regard, the GUMHD of the referenced AFAM and AFCM reflects 24 Jan 22 and 07 Mar 22, respectively.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 11 Apr 23 for comment (Exhibit D), and the applicant replied on 3 May 23. In her response, the applicant contended that she applied to the AFBCMR based on instructions from her Non-Select Promotion Counseling with AFPC. After she applied her case was closed and she was informed by the AFBCMR that she should first work with her MPF/CSS to have the decoration GUMHD date amended and was provided instructions on how to do this from AFPC. She followed the instructions and her issuing commander signed AF Forms IMT 973 to amend the GUMHDs on the AFAM and AFCM. On 16 Aug 22, she received confirmation that the changes to her decorations would be recorded in her official records and on 6 Sept 22 she resubmitted the 149 for the promotion reconsideration based on the corrected decorations.

She has followed all of the guidance to change the GUMHD, which was notably provided to her by the advisory writer at AFPC, who now appears to recommend denying her referral for an SSB consideration and is contradicting the guidance she previously provided. Furthermore, upon receiving notification from AFPC of the recommendation that the AFBCMR deny her request for SSB consideration, she checked the Personnel Records Display Application (PRDA) to discover that her official record that included the corrected decorations was changed without notification and reverted to the original versions of her decorations.

Moreover, she requested that the AFBCMR provide the paragraph number for the Air Force Evaluations and Recognition Programs policy, which states that the "Given Under My Hand" date may not be administratively changed, but has received no response. In addition, she sought direction from several 38Fs, MPFs, mentors, and leaders to check the DAFMAN 36-2806 to ensure she did not overlook where it stated that this is not allowed within the regulation; all of which stated that there is no reference it is not administratively allowed to change the "Given Under My Hand" date.

The applicant's complete response is at Exhibit E.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. While the Board notes the recommendation of AFPC/DPMSP against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. The Board notes the applicant was given instruction to amend the GUMHD on her AFAM and AFCM and has provided evidence of her commander's approval of the amended decorations. In addition, the Board finds the applicant provided evidence showing that her unit's high operations tempo and mission requirements is what caused the processing delays of her decoration. Given that the approving authority concurs with the correction to her decorations and since the inclusive dates were for periods of award prior to the date the CY21D Major LAF CSB (P0421D) convened, the Board finds sufficient evidence to approve the backdated GUMHD and provide the applicant SSB consideration based on the corrected decorations. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

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

- a. The Air Force Achievement Medal with inclusive period of performance 15 September 2021 to 24 September 2021 be approved with a Given Under My Hand Date of 1 October 2021.
- b. The Air Force Commendation Medal with inclusive period of performance 15 August 2021 to 31 August 2021 be approved with a Given Under My Hand Date of 1 October 2021.
- c. She be granted Special Selection Board (SSB) consideration by the P0421D Major Line of the Air Force (LAF) Central Selection Board (CSB) with inclusion of the corrected Air Force record copy of the medals.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-02464 in Executive Session on 15 August 2023:


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All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 29 Aug 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSPP, dated 5 Apr 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 11 Apr 23.
- Exhibit E: Applicant's Response, w/atchs, dated 8 May 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

X  2/4/2024
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Board Operations Manager, AFBCMR
Signed by:  *Work-Product*