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# UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

#### RECORD OF PROCEEDINGS

IN THE MATTER OF: DOCKET NUMBER: BC-2023-00556

Work-Product COUNSEL: NONE

**HEARING REQUESTED:** NO

# **APPLICANT'S REQUEST**

She be considered by a special selection board (SSB) for the CY22C (P0622C) Colonel Line of the Air Force-Judge Advocate (LAF-J) Central Selection Board (CSB).

# APPLICANT'S CONTENTIONS

There were two discrepancies in her records reviewed by the CSB. Through no fault of her own, her officer selection record (OSR) did not include her Air and Space Commendation Medal (ASCM) for her deployment and there was no AF Form 709, *Promotion Recommendation Form (PRF)*. She received her PRF on 23 May 22 and requested a correction in the Unit Mission Description block. Her senior rater corrected her PRF and she received a corrected copy on 31 May 22. However, when she viewed her personnel records display application (PRDA), there was no PRF.

The applicant's complete submission is at Exhibit A.

# STATEMENT OF FACTS

The applicant is a currently serving lieutenant colonel (O-5).

The applicant provides her PRF for the P0622C CSB dated 23 May 22.

The applicant received an Air and Space Commendation Medal, with Fourth Oak Leaf Cluster (ASCM, w/4 BOLC) for the inclusive period of 14 Feb 22 to 10 Jun 22, with "Given Under My Hand" signature date of 22 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

Per AF/A1 policy, the "Given Under My Hand" date is the date the commander approves the decoration. The policy is also the same for all sister services, Joint Staff and the Department of Defense (DOD). As such, the AFBCMR is the only option to request a change to the "Given Under My Hand" date.

#### AIR FORCE EVALUATION

**AFBCMR Docket Number BC-2023-00556** 

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AFPC/DPMSPP recommends denial. The applicant met the CY22C (P0622C) Colonel LAF-J CSB and was a nonselect. In accordance with DAFI 36-2501, *Officer Promotions and Selective Continuation*, the applicant is not eligible for SSB consideration as the board previously considered her record within its entirety, and there are no current changes to consider.

The applicant received an ASCM for the period of 14 Feb 22 through 10 Jun 22. However, the award was not authorized until 8 Aug 22, as shown by the "Given Under My Hand" date. On account the applicant was not awarded the decoration before 13 Jun 22, the date the P0622C board convened, the decoration was not eligible for consideration within the board. Additionally, it has been confirmed the applicant's PRF was included in her board folder and visible to the board members for review within the CY22C (P0622C) Colonel LAF-J CSB.

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 3 May 23 for comment (Exhibit D), and the applicant replied on 15 May 23. In her response, the applicant contended despite her reasonable diligence, the integrity of her records and what the promotion board members actually reviewed cannot be established. After her promotion board results were released, she reviewed her PRDA to make sure her corrected PRF was viewed in the board "as met" folder and there was no PRF. In all her previous promotion folders there was and still is a PRF. The advisory opinion suggests the integrity of her records and the board members viewing a PRF was proper. However, she is left to question for the first time in her career of what PRF the board reviewed. Since she cannot be assured the P0622C board reviewed her 31 May 22 signed PRF, she requests an SSB.

The date range for the ASCM pre-dates the promotion board. The advisory opinion's argument goes against Air Force policy and unfairly disadvantages members. It also does not take into consideration when a member is challenged with inaction or indifference by superiors. She explained to her deployed leadership she would be meeting the P0622C board on 13 Jun 22 and the leadership agreed her decoration had to closeout early so it could be in her records for the promotion board. However, there was a chain of command struggle towards the middle of her deployment. For the advisory opinion not to mention where the responsibility falls and to not question why her decoration was signed so late does not acknowledge the realities of the situation and injustice. She has no faith in the procedures or the integrity of the system. Her career is too important for the Air Force to explain the defects and pass the blame on to her when the Air Force did not follow its own processes.

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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSPP and finds a preponderance of the evidence does not substantiate the applicant's contentions. While the Board does not know why the applicant is unable to view the PRF in her PRDA, the Board finds

insufficient evidence to conclude the CSB did not review the mandatory required PRF. The applicant also requests an SSB to review her ASCM, w/4 OLC. However, while the inclusive period for the ASCM was before the CSB convening date of 13 Jun 22, it was not approved until after the CSB convened as evidenced by the "Given Under My Hand" signature date of 22 Aug 22. The Board notes the applicant's ASCM was finalized and approved in less than three months after the inclusive dates. The Board finds the decoration processing timeline was reasonable and there were no excessive delays to conclude the applicant was the victim of an injustice or that the applicant was treated differently than similarly situated officers. Therefore, the Board recommends against correcting the applicant's records.

# RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

# **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-2023-00556 in Executive Session on 31 Aug 23:



All members voted against correcting the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 9 Feb 23.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DPMSPP, w/atchs, dated 23 Mar 23.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 3 May 23.

Exhibit E: Applicant's Response, w/atchs, dated 15 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.

