



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00009

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be considered for promotion by a special selection board (SSB) for the (P0422E) CY22E Major Line of the Air Force – Air Operations and Special Warfare (LAF-A) Central Selection Board (CSB) for the following documents missing from his record:

- AF Form 475, *Education/Training Report*, dated 18 Dec 20. **(Administratively corrected; SSB directed by AFPC/DPMSP).**
- Aerial Achievement Medal (AAM) with Fifteenth Oak Leaf Cluster (AAM w/15 OLC) for the period of 15 Dec 21 to 13 Mar 22.
- AAM with Sixteenth OLC (AAM w/16 OLC) for the period of 14 Mar 22 to 12 Apr 22.

APPLICANT'S CONTENTIONS

Although he worked with the MAJCOM to update his record, due to processing delays and administrative issues outside of his control, the two AAMs were missing from his record and therefore, were not available to the promotion selection board.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 29 Nov 22, the applicant met and was a non-select for promotion to major by the P0422E LAF-A CSB.

On 20 Sep 23, according to the citation for the AAM w/15 OLC, Special Order Work-Product with a "Given Under My Hand" (signed) date of 20 Sep 23, the applicant was awarded the AAM w/15 OLC) for the period of 15 Dec 21 to 13 Mar 22. On that same date, according to the citation for the AAM w/16 OLC, Special Order Work-Product with a "Given Under My Hand" (signed) date of 20 Sep 23, the applicant was awarded the AAM w/16 OLC for the period of 14 Mar 21 to 12 Apr 22.

On 20 Oct 23, according to the Automated Records Management System (ARMS) Web application screenshot, both awards were committed in his ARMS record.

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

AFBCMR Docket Number BC-2024-00009

Work-Product

Controlled by: SAF/MRB

CUI Categories: Work-Product

Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

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”; 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, 20 Sep 23, after the date the Board convened on 29 Nov 22 and therefore was not considered by the Board. However, the applicant’s argument is 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/DPMSSP (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 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 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,” HAF/A1 confirmed the “Given Under My Hand Date” is the date the commander approves the decoration, which is also the same for all Sister Services, Joint Staff and DoD. As such, the AFBCMR is the only option the applicant has to request a change to the “Given Under My Hand Date.”

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

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.

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

AFI 36-2501, *Officer Promotions and Selective Continuation*:

1.3.1.3. Flows Officer Preselection Briefs (OPB) for eligible officers to the MPFs approximately 140 days before the board convenes.

2.10. Writing Letters to a Board.

2.10.2. Eligible officers may provide relevant attachments to their letters; with the following limitations. HQ AFPC/DPSOO advises officers when letters and/or attachments do not meet the above requirements and will not be presented to the board.

2.10.2.3. Attachments or documents that can become a permanent part of the officer's record (e.g., PRFs considered by previous boards, draft/proposed PRFs, draft/proposed OPRs, and decoration narratives) are not permitted; and

2.11. What Information Meets the Board.

2.11.1. The name and officer selection record (OSR), outlined in AFI 36-2608, Military Personnel Records System, of each eligible officer, including the Officer Selection Brief (OSB).

AFI 36-2608, *Military Personnel Records Systems*, dated 16 Apr 21

1.2.3. Electronic Officer Selection Record. This group contains all officer performance reports, citations for decorations, and any required adverse documentation outlined in paragraph 2.2.2.3.

2.2.2.2. Citations for Decorations. Place citations for all awarded decorations listed in AFMAN 36-2806, *Awards and Memorialization Program* (or equivalent from another military service). Use a copy of the special order that awarded the decoration only if a citation is missing.

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

6.3. Conditions That May Warrant an SSB. Grant SSBs for promotion to the grade of captain through colonel based on:

6.3.1. Legal, Administrative, and Material Errors. Acting on behalf of the SECAF, HQ AFPC/DPPP and HQ AFPC/DPPPO can direct an SSB for an officer if it is determined:

6.3.1.2. The board did not consider material information that should have been available in compliance with pertinent Air Force directives and policies.

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/DPMSP recommends granting the request. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. The applicant met and was a non-select by the P0422E LAF-A CSB. It has been confirmed his AAMs for the periods of 15 Dec 21 to 13 Mar 22 and 14 Mar 22 [sic] to 12 Apr 22 were eligible for consideration but did not meet the P0422E CSB. Further, an investigation has revealed these medals were not updated within his personnel records until 20 Oct 23. Therefore, based on his claim of his missing AAMs from his record, he is entitled to SSB consideration within the P0422E LAF-A CSB, as the award dates are prior to the P0422E LAF-A convening date of 29 Nov 22.

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 7 Jun 24 for comment (Exhibit D), but has received no response.

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. The Board concurs with the rationale and recommendation of AFPC/DPMSP and finds a preponderance of the evidence substantiates the applicant's contentions. While the Board is hesitant to directly attribute the missing awards to his non-selection for promotion, the excessive delay in the normal processing timeline for decorations can be attributed to an administrative error which resulted in an injustice to the applicant. 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 that:

- a. His Officer Selection Record for the CY22E Major P0422E LAF-A Central Selection Board include the Aerial Achievement Medal, Fifteenth Oak Leaf Cluster (AAM w/15 OLC) and the Aerial Achievement Medal, Sixteenth Oak Leaf Cluster (AAM w/16 OLC).
- b. He receive consideration for promotion to the grade of major by a Special Selection Board for the CY22E Major P0422E LAF-A Central Selection Board.

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-2024-00009 in Executive Session on 10 Sep 24:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Dec 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSP, dated 4 Jun 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 7 Jun 24.

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.

2/10/2025

X	Work-Product
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	Work-Product
	Board Operations Manager, AFBCMR
Signed by:	Work-Product