

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01815

XXXXXX

COUNSEL: XXX

HEARING REQUESTED: YES

APPLICANT'S REQUEST

1. The "Given Under My Hand Date" (GUMD) on his Air and Space Commendation Medal (ASCOM) be corrected to reflect 31 Aug 23.
2. He be considered for promotion by a special selection board (SSB) for the CY23E Major Line of the Air Force Air Operations and Special Warfare (LAF-A) (P0423E) Central Selection Board (CSB) for the corrected ASCOM.

APPLICANT'S CONTENTIONS

Due to technical issues with the myDecs application and administrative manning shortages as the wing executed the Air Force's first Expeditionary Air Base deployment, his ASCOM decoration shows an incorrect GUMD of 12 Dec 23 when the correct date should read 31 Aug 23. Due to this incorrect date, the award was not available to be viewed by 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 28 Nov 23, the applicant met and was a non-select for promotion to the grade of major (O-4) by the P0423E LAF-A CSB.

According to the applicant's *Air and Space Commendation Medal Citation*, Special Order G-130394, dated 12 Dec 23, reflects he was awarded the ASCOM for the period of 22 Jul 21 to 7 Jul 23, with a "Given Under My Hand" date of 12 Dec 23. On the same date, according to a screenshot from the Automated Records Management System (ARMS) web application, the award was placed in his ARMS record.

On 13 May 24, according to memorandum, *Decoration/Citation Correction for <applicant>*, the applicant's wing commander states the applicant's ASCOM shows an incorrect GUMD and should be corrected to reflect a GUMD of 31 Aug 23.

For more information, see the excerpt of the applicant's record at Exhibit B

APPLICABLE AUTHORITY/GUIDANCE (GUMD)

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 12 Dec 23, after the date the Board convened on 28 Nov 23 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/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 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,” Headquarters Air Force 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, 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 non-recommended 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).

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 a careful review of the applicant's contentions and the available evidence of record, the Board is not convinced the applicant has provided sufficient evidence to conclude that he is the victim of an error or injustice. While the applicant claims his decoration was missing from his record and failed to be considered by the promotion selection board, the applicant did not provide compelling evidence he exhausted his due diligence to ensure the award was signed and placed in his record prior to the convening date of the promotion selection board, nor did he provide compelling evidence of an administrative delay in the processing of the decoration outside the normal award processing timeline. Therefore, the Board finds the applicant's situation to be no different from other similarly situated officers. In view of the foregoing, the Board recommends against correcting the applicant's record.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

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-2024-01815 in Executive Session on 11 Feb 25:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 16 May 24..
Exhibit B: Documentary evidence, including relevant excerpts from official records.

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

Board Operations Manager, AFBCMR