

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00759
COUNSEL: NONE
HEARING DESIRED: NOT INDICATED

APPLICANT REQUESTS THAT:

The Board Discrepancy Report filed in his Calendar Year 2011B (CY11B) Major Central Selection Board (CSB) indicating his Air Force Commendation Medal, Third Oak Leaf Cluster (AFCM 3OLC) citation was missing from his Officer Selection Record (OSR) be removed.

APPLICANT CONTENDS THAT:

The memorandum prepared by the board support staff indicated the AFCM (3OLC) was missing from his record. However, the AFCM (3OLC) was not missing, but was incorrectly marked AFCM (4OLC), which gave the appearance it was missing, resulting in an unfair review.

Upon noticing that one of his decoration citations was incorrectly marked AFCM (4OLC), a notice was sent to the promotion board prior to the board, requesting a letter be inserted stating "AFCM 3OLC was inadvertently marked AFCM 4OLC."

However, the person who transcribed the document erroneously typed the memorandum to read "AFCM 3OLC is missing."

After traveling to AFPC to perform a records review, he discovered the incorrect citation and had it amended.

In support of his request, the applicant provides copies of the corrected AFCM (3OLC), dated 2 Jan 12, and AF IMT 973, *Request and Authorization for Change of Administrative Orders*.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is presently serving on active duty in the grade of captain with a date of rank of 1 Oct 02. His Total Active Federal Military Service Date (TAFMSD) is 12 Aug 02. A review of the OPRs included in the applicant's OSR for the CY11B Board reflects overall ratings of "meets standards."

The applicant has one nonselection for promotion to the grade of major by the P0411B Major CSB.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends the original "Given Under My Hand" date of 10 Aug 10, be used in reference to supplemental promotion board consideration and that the memorandum stating the AFCM 30LC is missing from the applicant's record be removed from the personnel file.

DPSIDR states, in accordance with procedures established by the Air Force Recognitions Branch, Awards and Decorations Personnel Services Delivery Guide, if an amended decoration certificate is required, re-accomplish the certificate, obtain new signatures, annotate the new Special Order number and include the following information: Amends: G-XXX, and include the date of the "Given Under My Hand" date from the original decoration.

The original "Given Under My Hand" date is not included on the amended certificate; however, it is confirmed the original "Given Under My Hand" date for the AFCM 30LC is 10 Aug 10.

The complete DPSIDR evaluation is at Exhibit B.

AFPC/DPSOO recommends the Board approve removing the discrepancy memorandum, and concurs with AFPC/DPSIDR's recommendation that the "Given Under My Hand" date on his AFCM (30LC) certificate should read 10 Aug 10, rather than 2 Jan 12.

DPSOO states after reviewing the applicant's OSR, they could not locate a citation reflecting either the 30LC or 40LC. Although the fourth AFCM was reflected on the applicant's Officer Selection Brief (OSB), the citation was not filed in his OSR. Therefore, they believe this is the reason the discrepancy report stating "the AFCM (30LC) citation was missing," was filed in the applicant's OSR.

DPSOO notes the AFCM (40LC) was amended to reflect AFCM (30LC); however, the incorrect AFCM (40LC) citation had a "Given Under My Hand" date of 10 Aug 10, and when the decoration was amended, the "Given Under My Hand" date on the citation was changed to 2 Jan 12, the date the decoration was amended. The 2 Jan 12 date on the AFCM (30LC) citation precludes it from being filed in the P0411B OSR because it is dated after the 6 Jun 11 board convening date. As such, they assume the applicant is also requesting to change the "Given Under My Hand" date on the AFCM (30LC) citation back to 10 Aug 10 in order for it to be considered by the P0411B CSB.

The complete DPSOO evaluation, with attachments is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 27 Apr 12, copies of the Air Force evaluations were forwarded to the applicant for review and comment within 30 days. To date, a response has not been received (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. The applicant requests that his Board Discrepancy Report filed in his OSR for the CY11B Major CSB be removed and that he receive SSB consideration by the same board with the corrected record. After thoroughly reviewing the evidence of record and the applicant's submission, we believe corrective action is warranted. We note the recommendations of the Air Force offices of primary responsibility (OPRs) that the Board Discrepancy Report should be removed from his OSR, and that he should be given SSB consideration with the AFCM 30LC citation with the "Given Under My Hand" date of 10 Aug 10, and we agree with their recommendations. When the applicant met the CY11B Major CSB there was a discrepancy notice generated due to an error in the number of AFCMs he was awarded. His records have since been administratively corrected to reflect the AFCM 30LC rather than AFCM 40LC. While we cannot state with certainty that the discrepancy notice filed in the applicant's OSR stating the AFCM (30LC) citation was missing from his record was the cause of his nonselection for promotion, we do believe it may have prevented him from receiving full and fair consideration for promotion. Therefore, in order to provide fair and equitable relief and to preclude any possibility of an injustice, we recommend his records be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

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

- a. The 10 May 11 Discrepancy Report filed in his Officer Selection Record, and viewed by the Calendar Year 2011B (CY11B) Major Central Selection Board (CSB) be removed.

b. The "Given Under My Hand" date on his Air Force Commendation Medal Third Oak Leaf Cluster (AFCM 3OLC) with inclusive dates of 28 July 2007 through 25 July 2010, be, and hereby is amended to reflect 10 August 2010 rather than 2 January 2012; and was accepted for file in his Officer Selection Record on 11 October 2010.

It is further recommended that he be considered for promotion to major by a Special Selection Board for the CY11B Major Central Selection Board with the above corrections to his record.

The following members of the Board considered AFBCMR Docket Number BC-2012-00759 in Executive Session on 13 Sep 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 27 Feb 12, w/atchs.
Exhibit B. Letter, AFPC/DPSIDR, dated 30 Mar 12.
Exhibit C. Letter, AFPC/DPSOO, dated 17 Apr 12, w/atchs.
Exhibit D. Letter, SAF/MRBR, dated 27 Apr 12.

Panel Chair