



CUI//SP-MIL/SP-PRVCY

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2018-03578

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect award of the Air Force Combat Action Medal.

APPLICANT'S CONTENTIONS

On multiple occasions while deployed to Forward Operating Base *Work-Product*, he performed his mission under direct fire. He was awarded the US Army Combat Action Medal for being engaged by insurgent forces in a combat environment.

STATEMENT OF FACTS

The applicant is a retired Air Force senior master sergeant (E-8) who entered the Regular Air Force on 14 Jul 83.

On 30 Jun 09, according to DD Form 214, the applicant was honorably discharged in the rank of senior master sergeant (E-8) after serving 25 years, 11 months, and 17 days of active duty and transferred to the Air Force Reserve. He was discharged, with a narrative reason for separation "Voluntary Retirement: Sufficient Service for Retirement." Item 13, *Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized*, reflects: Bronze Star with 1 oak leaf cluster (OLC); Meritorious Service Medal, with 3 OLCs; Air Force Commendation Medal, with 3 OLCs; Air Force Achievement Medal; Meritorious Unit Award, with 1 OLC; Air Force Outstanding Unit Award, with Valor Device and 5 OLCs; Air Force Good Conduct Medal, with 8 OLCs; National Defense Service Medal, with 1 service star; Armed Forces Expeditionary Medal; Southwest Asia Service Medal, with 1 service star; Kosovo Campaign Medal, with 1 service star; Iraq Campaign Medal, with 3 service stars; Global War on Terrorism Expeditionary Medal; Global War on Terrorism Service Medal; Air Force Overseas Ribbon Short, with 1 OLC; Air Force Overseas Ribbon Long, with 2 OLCs; Air Force Expeditionary Service Ribbon, with Gold Border and 2 OLCs; Air Force Longevity Service, with 5 OLCs; USAF NCO Professional Military Education Graduate Ribbon, with 2 OLCs; Small Arms Expert Marksmanship Ribbon, with 1 service star; Air Force Training Ribbon; North Atlantic Treaty Organization Medal.

The applicant's Senior Enlisted Performance Report for the period ending 1 Aug 02, indicates he was deployed to Prince Sultan Air Base, Kingdom of Saudi Arabia in support of Operation SOUTHERN WATCH and ENDURING FREEDOM.

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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The applicant's Senior Enlisted Performance Report for the period ending 8 Jun 03, indicates he set-up the first Air Force Explosive Ordnance Disposal flight in Work-Product Air Base in support of Operation IRAQI FREEDOM.

On 23 Jan 19, Board staff notified the applicant he failed to exhaust or that he did not indicate he exhausted other administrative avenues of relief prior to applying to the Board. Therefore, the applicant's awards and decorations request was sent to the Air Force Personnel Center (AFPC) for review and/or corrective action. Based on the forgoing, the applicant's case was closed. The applicant was also informed if AFPC was unable to resolve his awards and decorations request, AFPC would resubmit the request to the Board on his behalf.

On 1 Apr 21, the AFPC Recognition Team informed the applicant they were unable to verify award of the Air Force Combat Action Medal. They invited the applicant to provide source documents placing him in the area of responsibility and informed him he should send them to AFPC within 30 days of the date of their letter. After 30 days, the case would be referred to the Board.

On 23 Apr 21, the applicant responded to the AFPC Recognition Team letter and provided copies of DA Form 2823, *Sworn Statement*, detailing the events he believes qualify him for the Air Force Combat Action Badge; Narrative to Accompany the Award of the Combat Action Badge; and DA Form 4187, *Personnel Action*, for award of the Combat Action Badge. However, Section V, *Certification/Approval/Disapproval*, was not completed or signed by the approval authority.

On 14 Nov 22, the Board received an AFPC/DP3SP advisory opinion. In view of the applicant's original contention and concerns expressed in their 24 Jul 18 application, the AFBCMR staff reopened their case in order for the Board to consider the award of Air Force Combat Action Medal.

AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying the application. According to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A14.17, the Air Force Combat Action Medal was approved by the Secretary of the Air Force on 15 Mar 07 and was determined to be retroactive on/after 11 Sep 01. Accordingly, the actions of the applicant was after 11 Sep 01 and therefore may qualify for the Air Force Combat Action Medal. Therefore, concurrence from the Air Force should not be provided as the Air Force has a comparable medal for what the applicant is requested to be recognized for.

Nomination for the medal is restricted to members of the U.S. Armed Forces who on or after 11 Sep 01 deliberately went into the enemy's domain (outside the wire) to conduct official duties, either on the ground or in the air, and have come under enemy fire by lethal weapons while performing those duties, and are at risk of grave danger; or while defending the base (inside/on the wire), member came under fire and engage the enemy with direct and lethal fire, and are at the risk of grave danger; or personnel in ground operations who actively engage the enemy with direct and lethal fire also may qualify even if no direct fire is taken, as long as there was risk of grave danger and meets other criteria.

Members who receive the Army Combat Infantryman Badge, the Army Combat Action Badge, the Army Combat Medical Badge, or Navy Combat Action Ribbon may submit a copy of that award, along with other documentation, to the appropriate chain of command for conversion to the Air Force Combat Action Medal. Approval authorities will coordinate with the applicable Military Service headquarters to arrange revocation.

They are unable to verify award of the Air Force Combat Action Medal based on a review of the official record and the documentation provided by the applicant. Correspondence was sent to the applicant on 1 Apr 21 requesting additional documentation to possibly administratively correct the applicant's official record and award the Air Force Combat Action Medal. The applicant responded on 23 Apr 21 and provided a proposed citation, a personal account of the event, and a signed recommendation; however, it appears the package for award of the Air Force Combat Action Medal is incomplete. The package is missing a narrative from someone other than the applicant with firsthand knowledge, which does not support verification for award of the Air Force Combat Action Medal. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

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 16 Nov 22, for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not 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 applicant claims he performed his mission under direct fire and was awarded the Army Combat Action Medal for being engaged by insurgent forces in a combat environment. However, as noted by AFPC/DP3SP, the award package for the Army Comat Action Badge is not complete. In addition, the applicant provided insufficient evidence he meets the criteria for award of the Air Force Combat Action Medal. Therefore, the Board concurs with the rationale and recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find it in the interest of justice to waive the three-year filing requirement. Accordingly, the Board finds the application untimely and recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; 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 DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2018-03578 in Executive Session on 17 Aug 23:

 Panel Chair
 Panel Member
 Panel Member

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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 24 Jul 18.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 14 Nov 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 16 Nov 22.

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.

10/4/2023

Work-Product

Board Operations Manager, AFBCMR

Signed by:

Work-Product