



CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2019-00377

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His record be corrected to reflect award of the following:

1. Small Arms Expert Marksmanship Ribbon (SAEMR) with 1 Bronze Service Star (BSS).
2. Air Force Outstanding Unit Award (AFOUA) with one Bronze Oak Leaf Cluster (OLC).
3. Global War on Terrorism (GWOT) Service Medal (**Will be administratively corrected**).

APPLICANT'S CONTENTIONS

Upon discharge, the Bronze Star device was not noted on his SAEMR. Also, while assigned to the Medical Group and Operations Squadron as a student and permanent party, both the Airlift Wing and Medical Group were awarded two AFOUAs that he should have also received. Finally, his service between 11 Sep 01 and 14 Mar 03 qualifies for award of the GWOT Service Medal per Executive Order 13289.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-3).

On 23 Jan 01, DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, indicates the applicant enlisted in the Air Force Reserve for eight years under the Delayed Entry/Enlistment Program (DEP). He was discharged from the DEP and enlisted in the Regular Air Force on 5 Jun 01 for a period of six years.

On 29 Jan 15, according to the DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was discharged from active duty. His characterization of service was general (under honorable conditions) and narrative reason for separation was "Misconduct."

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

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying award of the SAEMR with 1 BSS and the AFOUA with one Bronze OLC as they are unable to verify eligibility of the awards. Correspondence was sent to the applicant on 11 Nov 20, requesting additional documentation to possibly administratively correct the applicant's official record and verify eligibility of the awards. Unfortunately, a response has not been received from the applicant.

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

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According to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, paragraph A14.33, the SAEMR is awarded to Regular Air Force, Air National Guard and Air Force Reserve members, who, after 1 Jan 63, qualify as “Expert” with either the M-16 rifle (to include the M-4 and GAU-5) or an issued handgun on the Air Force qualification course, an appropriate orientation course prescribed in other Air Force Instructions, other Military Services’ qualification course, or who satisfactorily complete the Combat Rifle Program. Per paragraph A.14.332, members who, after 22 Jun 72, qualify as “Expert” with the M-16 rifle (or the M-4 and GAU-5) and an issued handgun, wear a bronze service star on the ribbon.

Per paragraph A10.4, the AFOUA was established by SECAF on 6 Jan 54, to recognize numbered units that have distinguished themselves by exceptionally meritorious service or outstanding achievement that clearly sets the unit above and apart from similar units. The AFOUA may also be awarded for achievements of national or international significance, combat operations against an armed enemy of the United States, or military operations involving conflict with or exposure to hostile actions by an opposing foreign force. The AFOUA is awarded to numbered units such as air forces, air divisions, wings, groups, squadrons, provisional units, and medical facilities (i.e. hospitals, clinics, medical centers (numbered or unnumbered)). Detachments, operating locations, training sites, and Air Force elements are often included in the parent unit’s award; however, they may be considered on their own merit or identified by the parent unit to share in the award, but not both.

Absent additional documentation verifying the applicant meets the established eligibility criteria, the award of the SAEMR with 1 BSS and the AFOUA with 1 BOLC is unable to be awarded. To grant relief would be contrary to the criteria established by DoD Instruction (DoDI) 1348.33, *DoD Military Decorations and Awards Program* and 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 28 Oct 21 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 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 Air Force Instruction 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. Therefore, aside from the administrative correction noted above, the Board finds the application untimely and recommends against correcting the applicant’s records.

RECOMMENDATION

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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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-00377 in Executive Session on 3 Aug 22:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 13 Dec 17.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, w/atchs, dated 5 Oct 21.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 Oct 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

4/3/2023

Work-Product

Board Operations Manager, AFBCMR
Signed by: USAF