



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-2019-00665

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

He deployed to Iraq in 2010 and had to defend the entry control point when it came under attack. He and another security forces member setup blockage to prevent any breaches. At grave risk of danger, they exposed themselves from their position of cover to challenge the invading vehicles. They detained four suspected individuals.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force master sergeant (E-7).

On 30 Sep 11, the applicant was released from active duty for retirement. The applicant's DD Form 214, Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, reflects the following: Air Force Achievement Medal with 2 Oak Leaf Clusters (OLCs), Joint Meritorious Unit Award with 1 OLC, Meritorious Unit Award with 2 OLCs, Air Force Outstanding Unit Award with 4 OLCs, Air Force Good Conduct Medal with 3 OLCs, National Defense Service Medal with 1 service star, Iraq Campaign Medal with 1 service star, Global War on Terrorism Expeditionary Medal, Global War on Terrorism, Service Medal, Korean Defense Service Medal, Humanitarian Service Medal, Air Force Overseas Ribbon Short with 3 OLCs, Air Force Overseas Ribbon Long, Air Force Expeditionary Service Ribbon with Gold Border with 1 OLC, Air Force Longevity Service Ribbon with 4 OLCs, USAF NCO PME Graduate Ribbon with 1 OLC, Small Arms Expert Marksmanship Ribbon (Rifle), Air Force Training Ribbon, NATO Medal (Wear first NATO medal awarded). He was credited with eight years, three months, and one day of Foreign Service.

On 5 Apr 19, the AFBCMR staff notified the applicant he failed to exhaust or did not indicate he exhausted other administrative avenues of relief prior to applying to the AFBCMR. Therefore, the applicant's awards and decorations request was sent to the Air Force Personnel Center (AFPC) for review and/or corrective actions. The applicant was also informed if AFPC was unable to resolve his awards and decorations request, AFPC would resubmit the request to the AFBCMR on his behalf.

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Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

On 4 Feb 20, the AFPC Recognition Team informed the applicant they were unable to verify award of the AFCAM. 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 5 Oct 21, the Board received an AFPC/DP3SP advisory opinion. In view of the applicant's original contention and concerns expressed in their 3 Jan 19 application, the AFBCMR staff reopened the case in order for the Board to consider the award of AFCAM.

APPLICABLE AUTHORITY/GUIDANCE

According to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, on 15 Mar 07, the Secretary of the Air Force approved the establishment of the medal to recognize members of the Air Force (airman basic through colonel) who actively participated in ground or air combat.

Nomination for the medal is restricted to members of the U.S. Armed Forces who on or after 11 September 2001: deliberately go 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; 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 are 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.

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the applicant's request. DP3SP is unable to verify award of the AFCAM based on the official record and the documentation provided by the applicant. Correspondence was sent to the applicant on 4 Feb 20 requesting additional documentation to possibly administratively correct the applicant's official record and award the AFCAM. Unfortunately, as of the date of this memo a response has not been received from the applicant and therefore unable to administratively correct due to insufficient documentation verifying eligibility of the Air Force Combat Action Medal.

Absent additional documentation verifying the applicant was recommended or a complete package for consideration to ensure applicant meets the established eligibility criteria, the award of the AFCAM is unable to be awarded. To grant relief would be contrary to the criteria established by SecAF criteria contained within 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, the Board finds the application untimely and recommends against correcting the applicant's records.

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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-00665 in Executive Session on 3 Aug 22:

s, 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 3 Jan19.
Exhibit B: Documentary Evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3SP, 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.

3/20/2023

Work-Product

Board Operations Manager, AFBCMR
Signed by: USAF