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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

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DOCKET NUMBER: BC-2019-01994

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, Block 26, *Decorations, Medals, Badges, Commendations, Citations and Campaign Ribbons Awarded or Authorized*, be corrected to reflect award of the Armed Forces Expeditionary Medal (AFEM).
2. He be granted combat status.

APPLICANT'S CONTENTIONS

In 1964, he served with the [Work-Product] providing first line of defense for regulation against [Work-Product] in 1964.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 31 Aug 65, according to the applicant's DD Form 214, he was released from the Regular Air Force and transferred to the Ready Reserve.

On 25 Sep 67, according to Reserve Order [Work-Product] dated 26 Sep 67, the applicant was honorably discharged from the Air Force Reserve.

On 31 Mar 21, AFPC/DP3SP (Recognition Team) sent a letter to the applicant requesting additional documentation such as a paid travel voucher, AF Form 7, *Airman Military Record*, AF Form 104, *Service Medal Award Verification*, and/or evaluation reports to verify award eligibility.

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

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. Based on the documentation presented and review of the official record, there is no error or injustice, as the applicant does not meet the established criteria for award of the AFEM.

Per Air Force Manual (AFMAN) 36-2806, *Military Awards: Criteria and Procedures*, section A14.5, the AFEM is awarded to members of the U.S. Armed Forces who, after 1 Jul 58,

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participated in U.S. military operations, U.S. operations in direct support of the United Nations, or U.S. operations of assistance for friendly foreign nations. The Joint Chiefs of Staff designates operations that qualify for the AFEM, specifies the degree of participation required, and defines the area of operations.

Per section A14.5.1.1, service members must be bona fide members of the unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration), or for 60 nonconsecutive days provided the support involved entering the area of operations or met one or more of the following criteria: be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area, is wounded or injured and requires medical evacuation from the area of eligibility while participating in the operation, regardless of time, or accumulate 15 days service (consecutive/nonconsecutive) while participating as a regularly assigned crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation.

Per section A14.5.1.1.4, prior to 1 Dec 95, members on aircrew status were only required to fly over or into the area of eligibility for one day during the conflict to qualify for the medal. Additionally, under no condition will members receive the AFEM and another campaign medal for the same period of service, unless authorized by Department of Defense.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 27 Apr 23 for comment (Exhibit E), 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. 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 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. The Board does not find the assertion supported by a preponderance of the evidence. 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 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

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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-2019-01994 in Executive Session on 25 Aug 23:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 13 Mar 18 and 13 Mar 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: AFPC/DP3SP Letter to Applicant, dated 31 May 21.
- Exhibit D: Advisory Opinion, AFPC/DP3SP, dated 2 Dec 22.
- Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 27 Apr 23.

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.

3/7/2024

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Board Operations Manager, AFBCMR
Signed by: Work-Product