

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2019-03587

XXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, be amended to reflect award of the following:

- a. Armed Forces Expeditionary Medal.
- b. Air Force Achievement Medal with one Bronze Oak Leaf Cluster.
- c. Air Force Commendation Medal.

### APPLICANT'S CONTENTIONS

He applied to work at the Department of Veteran Affairs and was informed that he did not qualify for veteran's preference due to the contested medals not listed correctly on his DD Form 214.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air Force senior airman (E-4).

The applicant entered active duty on 31 March 1992 in the grade of airman basic for a period of six years.

On 30 March 1993, the applicant was honorably released from active duty and transferred to the Air Force Reserve. He served six years of total active duty service and credited with no Foreign service time.

On 1 February 2022, AFPC/DP2WR advised the applicant that they were unable to verify his deployment(s). Verification of deployment from the Military Personnel Delivery System (MILPDS) and Deliberate and Crisis Action Planning & Execution Segments (DCAPES) reflects no TDY(s) as the applicant suggested. AFPC/DP2WR further advised the applicant that if he provided supporting documentation (TDY Orders, Flight Orders, and/or Travel Vouchers) with exact dates they could re-evaluate his case.

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

## **APPLICABLE AUTHORITY/GUIDANCE**

AFI 36-2803, *The Air Force Awards and Decorations Program*, dated 18 December 2013

Table 3.13. **Air Force Commendation Medal** was established by the Secretary of the Air Force on 24 March 1958 is awarded to any service member, US and foreign military personnel in the grade of O-6 and below for meritorious achievement and service. The degree of merit must be distinctive though it need not be unique.

Table 3.14. **Air Force Achievement Medal** was established by the Secretary of the Air Force on 12 October 1980 and is awarded to US and foreign military personnel in the grade of O-6 and below for outstanding achievement or meritorious service rendered specifically on behalf of the Air Force.

6.13.1. **Armed Forces Expeditionary Medal** will be awarded to members of the Armed Forces of the United States who, after 1 July 1958, participated in US military operations, US operations in direct support of the United Nations, or US operations of assistance for friendly foreign nations (see tables 6.3, 6.4, and 6.5). The Joint Chiefs of Staff designates operations that qualify for the AFEM, specifies the degree of participation required, and defines the area of operations.

6.13.2. Service members must be bona fide members of a 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 this support involved entering the area of operations or meet one or more of the following criteria:

6.13.2.1. 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;

6.13.2.2. Is wounded or injured and requires medical evacuation from the area of eligibility while participating in the operation, regardless of time;

6.13.2.3. 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. One day's service is credited for the first sortie flown on any day. Additional sorties flown on the same day receive no further credit.

## **AIR FORCE EVALUATION**

AFPC/DP3SP recommends denying the application. After a thorough review of the official military personnel record to possibly provide administrative relief, AFPC/DP3SP is unable to verify award of the Armed Forces Expeditionary Medal, Air Force Achievement Medal with one Bronze Oak Leaf Cluster, and the Air Force Commendation Medal based on the official record and the documentation provided by the applicant. Correspondence was sent to the applicant on

10 December 2019, requesting additional documentation to possibly administratively correct the applicant's official record and award the contested medals. 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 contested medals. To grant the request would be contrary to established criteria in DoDI/M 1348.33 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 5 November 2021 for comment (Exhibit D), but has received no response.

### **FINDINGS AND CONCLUSION**

1. The application was 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. Therefore, the Board 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-2019-03587 in Executive Session on 6 April 2022:

, Chair, AFBCMR  
, 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 3 July 2019.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 9 October 2021.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 5 November 2021.

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.

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Board Operations Manager, AFBCMR