



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-03876

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 Medal of Honor (MOH) and other awards and medals.

APPLICANT'S CONTENTIONS

Through military government programs and independent research, he is qualified for the MOH due to the secrecy of his military background. The discovery of the error or injustice is within the time limitation because he is a Human Rights attorney and has "been in the advisement of United Nations and FEC Litigation."

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman basic (E-1).

On 27 Oct 06, 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 12 Dec 06 for a period of six years.

On 5 Jan 07, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of Air Force Policy Directive 36-22, *Military Retirements and Separations* and AFI 36-3208, *Administrative Separation of Airmen*, Section 5D. The specific reasons for the action were:

- a. Lack of aptitude for military service.
- b. Failure to adapt to the military environment.
- c. Failure to make satisfactory progress in a required training program.
- d. Reluctance to make the effort necessary to meet Air Force standards of conduct and duty performance.
- e. Lack of self-discipline.
- f. Failure to meet fitness standards.

On 8 Jan 07, the discharge authority directed the applicant be discharged for Entry Level Performance or Conduct, with an uncharacterized service characterization.

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Controlled by: SAF/MRB
 Work-Product [REDACTED]
 Limited Dissemination Control: N/A
 POC: SAF_MRBC_Workflow@us.af.mil

On 10 Jan 07, according to DD Form 214 the applicant received an uncharacterized discharge. His narrative reason for separation is "Entry Level Performance and Conduct" and he was credited with 29 days of active service for the period.

On 26 Jul 19 and 13 Sep 19, the applicant submitted DD Form 149s, *Application for Correction of Military Record*, requesting correction for three contentions.

On 13 Jan 20, the Board sent the applicant a Non-Viable letter that states in part "Blocks 5 and 6: You have not identified exactly how you wish to have your records corrected. Please clearly state the exact manner that you wish to have your records corrected." The applicant did not respond to the letter. Therefore, other than the contention above in the "APPLICANT'S REQUEST," the Board did not consider the other two contentions in the applications.

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

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying any awards or decorations earned during the applicant's active duty service as all military medal(s) or ribbon(s) is upon completion of Basic Military Training. The applicant only served 29 days, from 12 Dec 06 to 10 Jan 07 and therefore does not meet any of the minimum criteria for award of a military medal or ribbon. There is no error or injustice as the applicant does not meet minimum eligibility criteria for award of a military medal or ribbon. To grant request would be contrary to law, DoDI/M 1348.33, *DOD Military Decorations and Awards Program*, and the Air Force Manual 36-2806, *Awards and Memorialization Program* (previously AFI 36-2803, *Military Decorations and Awards Program*)

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 Nov 21 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. While the applicant asserts a date of discovery within the three-year limit, 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.
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 applicant only served 29 days, from 12 Dec 06 to 10 Jan 07 and therefore does not meet any of the minimum criteria for award of a military medal or ribbon. Therefore, the Board 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-03876 in Executive Session on 9 Aug 22:

[REDACTED] Panel Chair

[REDACTED] Panel Member

[REDACTED] Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 26 Jul 19.

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

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 11 Oct 21.

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

4/14/2025

X

Board Operations Manager, AFBCMR

Signed by: [REDACTED]

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