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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-05053

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COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended to reflect award of the Combat Action Ribbon.

### APPLICANT'S CONTENTIONS

He engaged in combat with enemy forces and received service-connected injuries. The lack of the Combat Action Ribbon documented on his DD Form 214, limits available Veterans Administration (VA) benefits for combat injuries. Correcting his DD Form 214 would allow better access to VA benefits to treat his Post Traumatic Stress Disorder and Traumatic Brain Injury.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

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

On 29 Aug 14, according to DD Form 214, the applicant separated from the Regular Air Force. He was credited with 4 years of active service and 11 months and 14 days of Foreign Service time.

On 24 Dec 19, the AFPC Recognition Team notified the applicant they were unable to verify award of the Combat Action Ribbon, which they believed to be a request for the Air Force Combat Action Medal (AFCAM). They requested he provide documents, such as a narrative explanation of circumstances, submitted by a person with firsthand knowledge of the incident.

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

### APPLICABLE AUTHORITY/GUIDANCE

AFMAN 36-2806, *Awards and Memorialization Program*. Nomination for the AFCAM is restricted to members of the U. S. Armed Forces who, on or after 11 Sep 01, deliberately go into the enemy's domain (outside the wire) to conduct official duties 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. Nomination may be extended to service members defending the base (inside/on the wire) who come under fire and engage the enemy with direct and lethal fire and are risk of grave danger. Personnel in ground operations who actively engage the enemy with direct and lethal fire

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also may qualify even if no direct fire is taken, as long as there was risk of grave danger and they meet other criteria.

## AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. After a thorough review of the applicant's military personnel record and provided documentation, they were unable to verify he met eligibility criteria for award of the AFCAM. Correspondence was sent to the applicant on 24 Dec 19 requesting additional documentation to possibly administratively correct the record; however, a response was not received.

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 and 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. 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-2019-05053 in Executive Session on 12 Jul 22:

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

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

Exhibit A: Application, DD Form 149, dated 30 Sep 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.

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