

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-02964

XXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation from Active Duty*, be corrected to reflect:

- a. Foreign service in Germany (**Boots-on-Ground Letter issued**)
- b. Foreign service in Guam
- c. Air Force Overseas Ribbon (Short Tour and/or Long Tour)

APPLICANT'S CONTENTIONS

He served in Germany from May 71 to May 73. However, he was not awarded an overseas service ribbon. He also served in Guam on a 6-month temporary duty (TDY) assignment, which was cancelled because of Operation NICKEL GRASS. He was in Guam from Aug to Oct 73. He was a security policeman in the nuclear deterrence role. He would like his DD Form 214 to reflect any service ribbons or awards that were earned. He would like to have his overseas service recognized as he has been told he was never overseas, nor is he a veteran. His TDY to Guam should be added to time listed as overseas. He did not know he could ask for a correction.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force staff sergeant (E-5).

On 2 Jun 71, according to the Uniform Military Personnel Record (UMPR), dated 17 Sep 73, the applicant was assigned to the XX Security Police Squadron, Zweibrucken Air Base, Germany.

On 10 Jun 73, according to the UMPR, dated 17 Sep 73, the applicant was assigned to Detachment X, XX Bomb Wing, Mountain Home Air Force Base, Idaho.

On 25 Jun 74, the applicant was furnished an honorable discharge, and credited with 3 years, 8 months, and 28 days active service, including 2 years and 15 days of foreign and/or sea service.

On 1 Oct 71, AFPC/DP3AM (Directorate of Assignments) issued the applicant a Boots-on-Ground letter for service in Germany from 1 May 71 to 15 May 73, for 2 years and 15 days foreign service, which is accurately reflected on his DD Form 214. Since specific locations are not annotated on the DD Form 214, the applicant was informed he could use their letter as proof of boots-on-ground for Germany.

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

APPLICABLE AUTHORITY

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; DD Form 214 Total Force Personnel Services Delivery Guide. The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service. Foreign Service locations are not an authorized entry on the DD Form 214. Foreign Service is annotated in increments of years, months, and days.

The Air Force Personnel Center Directorate of Assignments (AFPC/DP3AM) is responsible for determining an Air Force member's Foreign Service. Since specific locations are not annotated on the DD Form 214, they will prepare a Boots-on-Ground letter if they are able to verify a member served at a specific foreign location. This letter may be used to validate overseas service.

AIR FORCE EVALUATION

AFPC/DP3AM (Directorate of Assignments) recommends denying the applicant's request for foreign service credit for Guam. The information provided and the Master Personnel Records did not contain information that reflects the applicant served in Guam. Foreign service in Germany was confirmed.

The complete advisory opinion is at Exhibit C.

AFPC/DP3SP (Recognition Program) recommends denying the applicant's request for the Air Force Overseas Ribbon. Per Air Force Personnel Center, Directorate of Assignments memorandum, dated 1 Oct 21, the applicant's active duty service dates were from 1 May 71 to 15 May 73 for foreign service in Germany. No documentation was found in the applicant's military personnel record to determine time of service in Guam.

In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A14.33.1., the Air Force Overseas Ribbon (Short and Long Tour) was established on 12 Oct 80 to recognize completion of an overseas tour. Prior to 6 Jan 86, the ribbon was awarded to Regular Air Force, Air National Guard and Air Force Reserve members credited with completion of an overseas tour on or after 1 Sep 80. Regular Air Force, Air National Guard and Air Force Reserve members serving on or after 6 Jan 86, may reflect all Air Force overseas tours credited during their career.

After a thorough review of the applicant's official military personnel record and provided documentation, award of the Air Force Overseas Ribbon-Short Tour or Air Force Overseas Ribbon-Long Tour could not be verified. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent copies of the advisory opinions to the applicant on 21 Mar 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 applicant believes he qualifies for the Air Force Overseas Ribbon because he was assigned overseas. However, although the Directorate of Assignments verified the applicant's service in Germany from 1 May 71 to 15 May 73; these dates are prior to the established criteria for award of the Air Force Overseas Ribbon. Therefore, 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. In addition, as noted above in the Applicable Authority, foreign service locations are not an authorized entry on the DD Form 214. Foreign service is annotated in increments of years, months, and days and according to AFPC/DP3AM the amount of foreign service time reflected on the applicant's DD Form 214 is correct; as such, a correction is not needed. Accordingly, the applicant may use the AFPC/DP3AM letter dated 1 Oct 21 as verification of his service in Germany. 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 (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. 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. 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

The following quorum of the Board, as defined in DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2020-02964 in Executive Session on 21 Sep 23:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atch, dated 23 Aug 20.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3AM, dated 1 Oct 21.
Exhibit D: Advisory Opinion, AFPC/DP3SP, dated 11 Jan 23.
Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Mar 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.

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