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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-01167

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His DD Form 214, *Report of Separation from Active Duty*, be corrected to reflect the Air Force Commendation Medal.

APPLICANT'S CONTENTIONS

The Air Force Commendation Medal is missing from his DD Form 214.

In support of his request, the applicant provides a copy of AF Form 2224, *Air Force Commendation Medal Certificate*, awarded for meritorious service on 12 May 78.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 25 Jun 78, according to DD Form 214, the applicant received an honorable discharge and was transferred to the Air Force Reserve. Block 26, *Decorations, Medals, Badges Commendations, Citations and Campaign Ribbons Awarded or Authorized*, reflects: National Defense Service Medal, Air Force Longevity Service Award, and Air Force Good Conduct Medal.

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*, paragraph 2.4., states administrative orders are written directives, published by a commander or other competent authority, to announce approval of certain personal military decorations and unit awards. "G" series special orders are issued by the approval authority to announce approved decorations and unit awards. General Orders are issued by the Department of the Air Force (DAF) to confirm personal military decorations and awards approved by President of the United States, Secretary of Defense, and Secretary of the Air Force; combat related personal military decorations and unit awards approved for DAF members or units by the Secretaries of the other Military Departments; and campaign participation credit granted by authorized commanders.

AIR FORCE EVALUATION

AFBCMR Docket Number BC-2021-01167

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AFPC/DP3SP (Recognition Program) recommends denying award of the Air Force Commendation Medal. In accordance with AFMAN 36-2806, the Air Force Commendation Medal was established by the Secretary of the Air Force on 24 Mar 58, and announced in Department of the Air Force General Orders No. 16, 28 Mar 58. The medal is awarded to any service member, or to any member of the armed forces of a friendly foreign nation, who has distinguished himself or herself by meritorious achievement or service, valor or heroism.

Although the applicant provided a signed certificate, the citation or special order were not located in the applicant's official military personnel record verifying the Air Force Commendation Medal was awarded.

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 22 Jan 24 for comment (Exhibit D) 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 and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant failed to provide a copy of the special order verifying the Air Force Commendation Medal was awarded. Should the applicant provide a copy of the special order, the Board would reconsider his request. Therefore, the Board recommends against correcting the applicant's records. 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 and finds the application untimely.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

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, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2021-01167 in Executive Session on 27 Jun 24:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 25 Mar 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 23 Mar 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 22 Jan 24.

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.

9/26/2024

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