

RECORD OF PROCEEDINGS

IN THE MATTER OF:

XXXXXXXXXXXXXX

DOCKET NUMBER: BC-2021-01990

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended as follows:

- a. Block 11. *Primary Specialty* – changed to reflect 3V0X1, Arial Imagery Production Journeyman, Combat Still Photographer Journeyman and 3N0X1, Public Affairs Photojournalist Craftsman. **(will be administratively corrected)**
- b. Block 12a. *Date Entered Active Duty This Period* – changed to reflect 22 May 01. **(will be administratively corrected)**
- c. Block 13. *Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized* – add the Small Arms Expert Marksmanship Ribbon.
- d. Block 28. *Narrative Reason for Separation* – changed to reflect Medical Retirement, Combat Related.

APPLICANT'S CONTENTIONS

His DD Form 214 contains errors. He has been retired for a couple of years and he is trying to update his military files. He should have corrected the errors earlier, but he was overwhelmed. In addition, his concurrent receipt of special compensation was approved.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a medically retired Air Force staff sergeant (E-5).

On 7 Mar 01, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted in the Air Force Reserve and on 22 May 01, he entered the Regular Air Force.

On 30 May 14, according to AF Form 356, *Findings and Recommended Disposition of USAF Physical Evaluation Board*, an Informal Physical Evaluation Board (IPEB) found the applicant unfit due to Post-Traumatic Stress Disorder (PTSD) with Generalized Anxiety Disorder (GAD) (*Combat Zone, Not Combat Related*) and Asthma. The IPEB noted his PTSD is related to exposure to traumatic events such as member recovery and recommended placement on the Temporary Disability Retired List (TDRL) with a compensable rating of 80 percent.

On 11 Jun 14, according to AF Form 1180, *Action on Physical Evaluation Board Findings and Recommended Disposition*, the applicant agreed with the IPEB findings.

On 28 Dec 14, he was relieved from active duty and furnished a DD Form 214 with a separation code and corresponding narrative reason for separation of SEK, "Disability Temporary

(Enhanced).” He was credited with 12 years, 2 months, and 14 days of active duty service and 1 day of prior inactive service.

On 29 Dec 14, according to Special Order XXX-XXXXXX dated 9 Oct 14, he was placed on the TDRL.

On 26 Oct 17, according to AF Form 356, the IPEB recommended the applicant be permanently retired for his unfitting conditions of PTSD (*Combat Related-No/Combat Zone-Yes*) and Asthma. Column F, *Combat Related Determination as Defined in 26 U.S.C. 104*, reflects “No” for both conditions.

On 4 Jan 18, according to Special Order XXX-XXXXXX dated 15 Dec 17, he was removed from TDRL and permanently retired. The special order indicates the applicant’s disability was not received in the line of duty as a direct result of armed conflict or caused by an instrumentality of war and incurred in the line of duty during a period of war. The order also indicates the disability was not the direct result of a combat-related injury as defined in 26 U.S.C. § 104.

On 9 Jun 21, AFPC/DP3DW determined the applicant’s previous Air Force Specialty Code (AFSC) of 3V052, *Still Photography Journeyman* was directly converted to 3N054, *Still Photography Journeyman* during the AFSC Conversion dated 31 Oct 07. Subsequently, during the AFSC Conversion dated 31 Oct 12, his 3N054 AFSC was directly converted to 3N055, *Photojournalist Journeyman*. AFPC/DP3DW directed Block 11. *Primary Specialty* be corrected to reflect 3N055, *Photojournalist Journeyman* in accordance with governing directives.

On 21 Jun 21, AFPC/DP2LT found discrepancies with Block 12. *Record of Service* and directed the following corrections: 12a. *Date Entered Active Duty This Period* – changed to reflect 22 May 01; 12c. *Net Active Service This Period* – changed to 13 years, 7 months, and 7 days; and 12e. *Total Prior Inactive Service* – changed to 2 months and 15 days.

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

APPLICABLE AUTHORITY/GUIDANCE

AFMAN 36-2806, *Awards and Memorialization Program*. The SAEMR is awarded to Regular Air Force, Air National Guard and Air Force Reserve members, who after 1 Jan 63, qualify as “Expert” with either the M-16 rifle (to include the M-4 and GAU-5) or an issued handgun on the Air Force qualification course, an appropriate orientation course prescribed in other Air Force instructions, or military services’ qualification course, or who satisfactorily complete the Combat Rifle Program. The AF Form 522, *United States Air Force (USAF) Ground Weapons Training Data* is used to verify eligibility for award of the SAEMR.

AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*. The DD Form 214 is a document used to separate an airman from the Regular Air Force or Air Reserve Component airmen from active duty. It provides an accurate and complete summation of active duty service at the time of transfer, release, discharge, or change of component or status while on active duty.

DD Form 214, *Certificate of Release or Discharge from Active Duty*, Personnel Services Delivery (PSD) Guide, Section D, Table 3 (When to Issue a DD Form 214). A DD Form 214 is issued when an individual is placed on TDRL; however, a DD Form 214 is not issued when an individual is removed from TDRL.

26 U.S.C. § 104 and DoDI 1332-18, *Disability Evaluation System (DES)*, dated 5 Aug 14. The term “combat related” covers injuries and diseases attributable to the special dangers associated

with armed conflict or the preparation or training for armed conflict. A combat-related injury is defined as a personal injury or sickness which is incurred as a direct result of armed conflict; while engaged in hazardous service; under conditions simulating war; or caused by an instrumentality of war.

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 finds a preponderance of the evidence does not substantiate the applicant's contentions. In this regard, the PEB findings indicate the service-connected disability for which the applicant was permanently retired was not the direct result of a combat-related injury as defined in 26 U.S.C. § 104 and DoDI 1332-18, *Disability Evaluation System (DES)*. In addition, the applicant failed to provide source documentation to verify he was awarded the Small Arms Expert Marksmanship Ribbon. Therefore, the Board recommends against correcting the applicant's records beyond that corrected administratively.

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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2021-01990 in Executive Session on 21 Mar 22:

, 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/atchs, dated 23 May 21.

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

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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