



**CUI//SP-MIL/SP-PRVCY**

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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2021-02978

*Work-Product*

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His Air Force Commendation Medal (AFCM) awarded on retirement be upgraded to a Meritorious Service Medal (MSM).

**APPLICANT'S CONTENTIONS**

While AFMAN 36-2806, *Military Awards: Criteria and Procedures*, does not mandate a retirement medal be awarded, it also does not mandate that a medal be downgraded. At the time of his retirement, it was common practice for senior noncommissioned officers (SNCO) to be awarded an MSM for retirement. In his case, the command chief master sergeant had unwritten guidance that he would not support an MSM if a SNCO failed a fitness assessment (FA). The wing leadership failed to consider extenuating medical circumstances which made it more difficult for him to pass his FA. After his retirement, he received a 70 percent disability compensation rating for his service connected conditions, which included his diagnoses of asthma. He was diagnosed with asthma while in service after his deployment to Afghanistan in 2010. The rest of his military career was stellar.

He has been retired for seven years and not being awarded the MSM he deserved continues to haunt him. A retirement medal is meant to encompass the entire career and a review of his records shows he was very successful. There is no reason he should not have been awarded an MSM when he retired. In support of his request, the applicant provides letters of support, to include from his Congressman.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a retired Air Force master sergeant (E-7).

The applicant was awarded the AFCM, with second oak leaf cluster (AFCM w/2 OLC) for meritorious service, with inclusive dates 28 Oct 08 to 29 Apr 14.

On 1 May 14, the applicant retired in the rank of master sergeant, with a narrative reason for separation of "Vol Retirement: Sufficient Service for Retirement." He was credited with 20 years and 23 days of active duty service.

In a letter dated 15 Jun 22, the applicant's Congressman requests the Board upgrade the applicant's retirement award from an AFCM to MSM. The applicant never once in his Air Force career failed

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an FA until he was diagnosed with asthma by an Air Force doctor after his deployment to Afghanistan. It was common practice for SNCOs to be awarded an MSM for retirement. At the time of his retirement, his leadership failed to consider the extenuating medical circumstances. The request for the upgrade of his award was submitted to SAF/LLC, who advised the applicant to apply for redress to through the AFBCMR.

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

**AIR FORCE EVALUATION**

AFPC/DP3SP recommends denial. They are unable to verify award of the MSM. In accordance with AFMAN 36-2806, A2.11, the MSM is awarded to any service member or to any member of the armed forces of a friendly foreign nation who distinguished himself or herself by outstanding meritorious achievement or service. In support of his request, the applicant provided letters of recommendation and support. The decoration package provided is incomplete as the applicant did not provide a proposed narrative citation for award of the MSM from the recommending/approval authority.

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 30 Mar 23 for comment (Exhibit D), and the applicant replied on 29 Apr 23. The applicant contended the advisory opinion did not address the letter from his Congressman nor did it state he provided 20 years of enlisted performance reports. He rebuts the denial recommendation. The advisory sounds as if he is trying to prove the approving official awarded him an MSM and he is requesting an administrative correction, which is not case. Based on his retired rank and his successful 20-year career, the award of the AFCM upon retirement was unjust. The wording used in the AFCM citation is sufficient for an MSM and the Board could use the citation for the MSM.

In 20 years, he never received less than a "5" rating on his EPRs he served two tours as a recruiter and earned two Community College of the Air Force, bachelor's and master's degrees. He served on six permanent change of station assignments and was awarded the Southwest Asia, Armed Forces Expeditionary and the Afghanistan Campaign Medal. After returning from his deployment to Afghanistan in 2010, he was diagnosed with asthma. The only reason he was awarded an AFCM instead of an MSM was he failed an FA in 2013. He provided letters of support from his SNCO peers, supervisor and the civilian who oversaw the quality assurance unit who supported him receiving an MSM. The asthma he received from his service in Afghanistan directly contributed to the reduction in his FA score and was eventually what forced him to decide to retire at 20 years, instead of reenlisting. If the Board takes the time to read his EPRs, review his service records and the letters of support provided, it will see he should be awarded the MSM. Denial of the MSM for one blemish attributed to his asthma which was caused by his service in a war zone resulting in his disability is unjust.

The applicant's complete response is at Exhibit E.

**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 contends in his rebuttal response dated 1 May 23 the Board can use the AFCM citation to upgrade his retirement medal to an MSM. However, the applicant has not sustained his burden of proof to show a nexus with his diagnosis of asthma and his FA failure. Moreover, no medical evidence pertaining to his asthma or any FA records were provided to show he was not awarded the MSM as a result of his 2013 FA failure as contended. While the applicant provides letters of support, to include a letter from his Congressman dated 15 Jun 22, the Board does not find the letters persuasive to upgrade the applicant’s AFCM to an MSM. 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 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. 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 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-2021-02978 in Executive Session on 15 Jun 23:

<i>Work-Product</i>	Panel Chair
<i>Work-Product</i>	Panel Member
<i>Work-Product</i>	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 1 Mar 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 22 Mar 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 30 Mar 23.
- Exhibit E: Applicant’s Response, w/atchs, dated 1 May 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.

6/27/2023

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*Work-Product*

Board Operations Manager, AFBCMR

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