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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-00458

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect award of the Small Arms Expert Marksmanship Ribbon.

APPLICANT'S CONTENTIONS

He was awarded the Small Arms Expert Marksmanship Ribbon during basic training, but it was never recorded.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force airman basic (E-1).

On 9 May 80, according to DD Form 214, the applicant was honorably discharged and was credited with 2 months and 19 days of active service. Item 13, *Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized*, reflects: None.

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

APPLICABLE AUTHORITY

Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, paragraph A14.33. The Small Arms Expert Marksmanship Ribbon was established by the Secretary of the Air Force on 28 Aug 62 and made effective on 1 Jan 63. The ribbon 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, other Military Services' qualification course, or who satisfactorily complete the Combat Rifle Program.

AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying the application. After a thorough review of the applicant's official military personnel record and provided documentation to possibly provide administrative relief, there is no evidence the applicant meets the established criteria for

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award of the Small Arms Expert Marksmanship Ribbon. Accordingly, to grant relief would be contrary to the criteria established by AFMAN 36-2806, paragraph A14.33.

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 25 May 23 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 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.
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, paragraph 2.1, considered Docket Number BC-2022-00458 in Executive Session on 19 Oct 23:

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 19 Jan 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 8 Feb 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 25 May 23.

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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.

12/7/2023

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