



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02340

Work-Product

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

He qualified for the SAEMR; however, his qualification was misplaced by the instructor. The instructor allowed him to recover his target sheets, which he submitted as evidence in support of his request.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a permanently disability retired Air Force airman first class (E-3).

On 6 Mar 20, according to DD Form 214, the applicant was discharged for the purpose of retirement and credited with 3 years of active service. Block 13, *Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized*, reflects: Air Force Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Nuclear Deterrence Operations Service Medal, and the Air Force Training Ribbon.

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 (Recognition Programs) recommends denying the applicant's request for award of the SAEMR. According to Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, 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, other Military Services' qualifications course, or who satisfactorily complete the Combat Rifle Program. AF Form 522, *Ground Weapons Training Data and USAF Firearms Qualification*, or a letter from the small arms marksmanship monitor is used as the source documentation for the award.

AFBCMR Docket Number BC-2022-02340

Work-Product

Work-Product

After a thorough review of the applicant's submission and official military record, there is no evidence of an error or injustice. The "target sheets" provided by the applicant are not sufficient documentation to verify he qualified as "expert" with either the M-16 or issued handgun. To grant relief would be contrary to the criteria established by AFMAN 36-2806 and AFI 36-2654, *Combat Arms Program*.

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 21 Apr 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. While the Board recommends against correcting the applicant's records; however, should the applicant provide his AF Form 522, *Ground Weapons Training Data and USAF Firearms Qualification*, the Board would be willing to reconsider his request. 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 Air Force Instruction 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 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-2022-02340 in Executive Session on 9 Jan 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:

AFBCMR Docket Number BC-2022-02340

Exhibit A: Application, DD Form 149, w/atchs, dated 5 Jun 22.

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 21 Apr 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.

3/8/2024

Work-Product