

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00187
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His DD Form 214, *Certificate of Release or Discharge from Active Duty*, Block 12c (Net Active Service this Period), accurately reflect 4 years, 9 months and 20 days.
 2. He be entitled to the Small Arms Expert Marksmanship Ribbon (SAEMR).
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APPLICANT CONTENDS THAT:

His record is incomplete and inaccurate because the information in blocks 13 (Decorations, Medals, Badges, Citations, and Campaign Ribbons Awarded or Authorized) and 14 (Military Education) are missing. Information in block 12c (Net Active Service this Period) is improperly calculated, and the address in block 19b (Nearest Relative) is incorrect.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

On 24 Jan 2006, the applicant entered the Regular Air Force and on 14 Oct 2011, he was dishonorably discharged due to a court-martial. He served 2 years, 2 months, and 6 days of active duty. The period 30 May 2008 through 14 Oct 2011 is recorded as lost time on his DD Form 214.

The applicant was provided a DD Form 215, *Correction to DD Form 214*, to add the Vehicle Operator Apprentice Course and to correct the mailing address of his nearest relative.

The SAEMR is awarded to all Air Force service members who, after 1 Jan 1963, qualify as "expert" in small arms marksmanship with either the M-16 rifle or issue handgun.

THE AIR FORCE EVALUATION:

AFPC/DPSIDRA recommends denial of the applicant's request for entitlement to the SAEMR. DPSIDRA states after a thorough review of his official personnel record and provided supporting documentation, they were unable to locate AF Form 522, *USAF Ground Weapons Training Data*, reflecting the applicant qualified as expert with either the M-16 rifle or issue handgun, or a Special Order authorizing his entitlement to the SAEMR.

The complete DPSIDRA evaluation is at Exhibit C.

APPLICANT'S REVIEW OF THE AIR FORCE EVALUATION:

On 19 Dec 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice regarding the applicant's request that he be entitled to the SAEMR. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. With respect to his request for correction of his DD Form 214, item 12c, we note in a letter to the applicant dated 15 Mar 2012, AFPC/DPSOY states the lost time the applicant incurred during his incarcerations between 20 Mar 2008 and 14 Oct 2011 is accurately reflected on his DD Form 214. In view of this and since a period of incarceration is not creditable service time, the total active service reflected on his DD Form 214 is correct. Therefore, in view of the above and in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application in Executive Session on 26 Feb 2013, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered in AFBCMR BC-2012-00187:

- Exhibit A. DD Forms 149, dated 3 Jan 2012 and 30 May 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIDRA, dated 27 Feb 2012.
- Exhibit D. Letter, SAF/MRBR, dated 19 Dec 2012.

Acting Panel Chair