

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-02079

XXXXX

COUNSEL:

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect the following awards for his deployment supporting Operation DESERT SHIELD/STORM:

- a. Southwest Asia Service Medal (SWASM).
- b. National Defense Service Medal (NDSM) (**Administratively Corrected**).
- c. Kuwait Liberation Medal-Saudi Arabia (KLM-SA).
- d. Kuwait Liberation Medal-Kuwait (KLM-K).
- e. Army Commendation Medal (ARCOM).
- f. Air Force Achievement Medal with one Bronze Oak Leaf Cluster (AFAM w/1BOLC).
- g. Any other awards for his service.

APPLICANT'S CONTENTIONS

Due to a family emergency, he was returned early from deployment for Desert SHIELD/STORM, separated for hardship reasons, and received an honorable discharge. His DD Form 214 does not show his service in the Persian Gulf nor any awards that he may have been eligible to receive.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably separated Air Force sergeant (E-4). His DD Form 214, dated xx Dec 90, credits him with 14 days of Foreign Service.

On 21 Aug 19, the Air Force Personnel Center (AFPC) Directorate of Assignments informed the applicant that they were able to verify and confirm "boots on the ground" (BOG) Foreign Service time in the Kingdom of Saudi Arabia from 13 Oct 90 to 26 Oct 90 for a total of 14 days.

On 19 May 20, the AFPC Recognitions Team informed the applicant they were able to verify the award of the NDSM and the Air Force Training Ribbon (AFTR). However, they were unable to verify the award of the SWASM, KLM-SA, ARCOM, and the AFAM w/1BOLC. The applicant was informed he needed to provide additional source documents to support his request along with complete decorations packages for the ARCOM and AFAM w/1 BOLC. They informed the

applicant that if AFPC did not receive that additional documents pertaining to his request within 30 days, his case would be referred to the Board.

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

APPLICABLE AUTHORITY/GUIDANCE

According to Air Force Manual 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19:

A15.3. SWASM. The SWASM is awarded to all members of the U.S. Armed Forces who served in support of Operation DESERT SHIELD or DESERT STORM from 2 August 1990 through 30 November 1995. To be eligible, a service member must have been serving on temporary duty for 30 consecutive days or 60 nonconsecutive days.

A12.6. KLM-Saudi Arabia. Authorized by the government of Saudi Arabia to members of the Coalition Forces who participated in Operation DESERT STORM. Served in support of operation DESERT STORM between Jan 17 and Feb 28, 1991. To be eligible, a service member must have been serving on temporary duty for 30 consecutive days or 60 nonconsecutive days.

A12.7. KLM-Kuwait. Authorized by the government of Kuwait to members of the U.S. Military who participated in Operations DESERT SHIELD, DESERT STORM, and the Cease Fire Campaign between August 2, 1990, and August 31, 1993. To be eligible, a service member must have been serving on temporary duty for 30 consecutive days or 60 nonconsecutive days.

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. After a thorough review of the applicant's official military personnel record, they were able to verify the award of the NDSM and the applicant's record will be administratively corrected to reflect the award. However, they were unable to verify the award of the SWASM, KLM-Saudi Arabia. Additionally, they were unable to verify the applicant was recommended for, or approved for, the ARCOM or the AFAM w/1 BOLC.

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 12 Oct 21 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 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 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-02079 in Executive Session on 6 Apr 22:

, Chair, AFBCMR
, 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 11 Jan 19.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 10 Oct 21
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 Oct 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

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Board Operations Manager, AFBCMR