

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-01240

XXXXXXXXXX

COUNSEL: XXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, effective 22 July 1994, be corrected to reflect the following:

- a. Air Force Achievement Medal (AFAM) (**administratively corrected**)
- b. Small Arms Expert Marksmanship Ribbon (SAEMR)

APPLICANT'S CONTENTIONS

He is a Gulf War Veteran and had a temporary duty assignment to Saudi Arabia in support of Operation **Work-Product** from November 1993 through January/February 1994. During this period, he was awarded an incentive flight on a KC-10 refueling aircraft. He was further awarded an AFAM for his service in Saudi Arabia during the period of 1993 through 1994 and earned marksmanship during Basic Training. He is applying for benefits and his DD Form 214 does not properly reflect his medals.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is honorably discharged Air Force senior airman (E-4).

On 18 June 2019, the applicant was advised via the Board Analysis Division, AFBCMR, to forward any additional information in support of his case. On 25 June 2019, the applicant provided additional information.

On 23 October 2019, the Air Force Personnel Center (AFPC) Assignment Advisor informed the applicant that there is verification and confirmation of his boots on ground Foreign Service time in the **Work-Product**, from 1 November 1993 to 31 January 1994, for three months. The amount of Foreign Service time reflected on his DD Form 214 is correct. Since specific locations are not annotated on a member's DD Form 214, the applicant was provided a letter as proof of "boots on ground" for the **Work-Product**.

On 9 January 2020, the AFPC Recognition Team informed the applicant they were able to verify his award of the AFAM. However, they were unable to verify award of the SAEMR and requested he provide any source documents, such as AF Form 522, *USAF Ground Weapons Training Data*, or a Special Order, for verification. Moreover, if AFPC did not receive additional documents pertaining to his request within 30 days, his case would be referred back 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

Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, Small Arms Expert Marksmanship Ribbon. The ribbon was established by SECAF on 28 August 1962 and made effective on 1 January 1963. The ribbon is awarded to regular Air Force, Air National Guard and Air Force Reserve members, who, after 1 January 1963, 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 recommends denying the applicant's request for award of the SAEMR. Based on the applicant's official military personnel record and the documentation provided by the applicant there is insufficient evidence to establish the applicant meets the criteria for award of the SAEMR. However, verification was made for the applicant's entitlement to the AFAM. In addition, based on confirmation of the applicant's boots on ground reflecting his Foreign Service time in the **Work-Product**, the applicant's records will be administratively corrected to reflect his entitlement to award of the Southwest Asia Service Medal (SWASM), Kuwait Liberation Medal (KLM) – Saudi Arabia, and the Kuwait Liberation Medal (KLM) – Kuwait.

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 October 2021 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 as it relates to award of the SAEMR. 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 in the absence of evidence to the contrary, we find no basis to recommend granting any relief beyond that rendered administratively.

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-2019-01240 in Executive Session on 19 April 2022:

, Panel Chair
, 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 14 November 2018 and 25 June 2019.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 11 October 2021.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 October 2021.

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.

X

Board Operations Manager, AFBCMR