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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-01553

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT’S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 12 Feb 97, be corrected to reflect the award of the Southwest Asia Service Medal.

APPLICANT’S CONTENTIONS

He was deployed to Saudi Arabia in support of Operation DESERT STORM from Mar 96 through Jun 96.

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force senior airman (E-4).

On 12 Feb 97, according to DD Form 214, the applicant was honorably discharged and credited with 4 years, 2 months, and 9 days of active service.

According to the applicant’s Air Force Achievement Medal (First Oak Leaf Cluster) citation, the applicant was on temporary duty to Saudi Arabia in support of Operation SOUTHERN WATCH for the period 28 Mar 96 to 27 Jun 96.

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 Program) recommends denying the request. After a thorough review of the applicant’s official military personnel record and documentation provided by the applicant to possibly provide administrative relief, the award of the Southwest Asia Service Medal was unable to be verified. In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A15.3, the Southwest Asia Service Medal is awarded to all members of the U.S. Armed Forces who served in support of Operation DESERT SHIELD or DESERT STORM in one or more of the following areas from 2 Aug 90 through 30 Nov 95: The Persian Gulf, the Red Sea, the Gulf of Oman, the Gulf of Aden, that portion of the Arabian Sea that lies north of 100 N. latitude and west 680 E. longitude, as well as the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates. Members serving in Israel, Turkey, Syria, and Jordan (including the airspace and territorial waters) directly supporting combat operations from 17 Jan 91 through 30 Nov 95 are also eligible for the

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Southwest Asia Service Medal. To be eligible, a service member must have been attached to or regularly serving for one or more days with an organization participating in ground and/or shore (military) operations; attached to or regularly served for one or more days aboard a naval vessel directly supporting military operations; actually participating as a crew member in one or more aerial flights directly supporting military operations in the areas designated above; or serving on temporary duty or 30 consecutive days or 60 nonconsecutive days. These time limitations may be waived for people participating in actual combat operations.

The applicant’s dates of service in Saudi Arabia were from 28 Mar 96 to 27 Jun 96, which is past the award authorization period for the award of the Southwest Asia Service Medal. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

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 15 Mar 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.

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-2020-01553 in Executive Session on 15 Jun 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, dated 18 Jan 20.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 28 Dec 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Mar 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.

8/25/2023

X *Work-Product*

Board Operations Manager, AFBCMR

Signed by: *Work-Product*