

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2020-02229

XXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect:

a. Small Arms Expert Marksmanship Ribbon.

b. Theater information from his tour at Prince Sultan Air Base, Saudi Arabia, 12 Apr 99 to 26 May 99, to include two medals (Armed Forces Expeditionary Medal, Air Force Achievement Medal). **(Will be administratively resolved)**

### APPLICANT'S CONTENTIONS

It was brought to his attention recently by the Combat Veterans Association that his DD Form 214 did not accurately reflect his award of the Small Arms Expert Marksmanship Ribbon and the theater information from the time he served in Saudi Arabia. He wants his DD Form 214 to properly reflect his awards and time serviced in the military.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

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

On 19 Dec 99, according to Special Order XX-XXX, the applicant was awarded the Air Force Achievement Medal for outstanding achievement during the period 12 Apr 99 to 26 May 99, while deployed at Prince Sultan Air Base Saudi Arabia.

On 15 Apr 01, the applicant was honorably discharged having served four years of active service. His DD Form 214 item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, Air Force Training Ribbon, Armed Forces Expeditionary Medal, Air Force Outstanding Unit Award with one device, Air Force Good Conduct Medal, Air Force Longevity Service Award.

On 1 Sep 20, AFPC/DP3AM issued the applicant a "Boots on Ground" letter as proof of his 12 Apr 99 to 26 May 99 foreign service time the Kingdom of Saudi Arabia.

On 3 Sep 20, AFPC/DP2SSR-214, issued the applicant a DD Form 215, *Correction to DD Form 214, Certificate of Release or Discharge From Active Duty*, changing Item No. 12f, *Foreign Service*, to reflect 00 01 15 instead of 00 00 00.

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

### APPLICABLE AUTHORITY/GUIDANCE

Title 10, United States Code, Section 1168: Discharge or release from active duty: limitation; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; AFI 36-3202, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; DD Form 214 Total Force Personnel Services Delivery Guide. The DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active duty service. Foreign Service locations are not an authorized entry on the DD Form 214. Foreign Service is annotated in increments of years, months, and days.

The Air Force Personnel Center Assignment Policy Directorate (AFPC/DP3AM) is responsible for determining an Air Force member's Foreign Service. Since specific locations are not annotated on the DD Form 214, they will prepare a Boots-on-Ground letter if they are able to verify a member served at a specific foreign location. This letter may be used to validate overseas service.

## **AIR FORCE EVALUATION**

AFPC/DP2SSR-214 recommends denying the applicant's request that his DD Form 214 be corrected to reflect all deployments/operations names. It has been historical policy to refrain from listing assignments, deployments, operation names or locations on the DD Form 214. His DD Form 214 was prepared correctly in accordance with regulations and procedures.

The complete advisory opinion is at Exhibit C.

AFPC/DP3SP recommends denying the applicant's request he be awarded the Small Arms Marksmanship Ribbon. After review of the applicant's official military personnel record and the documentation provided, they were able to verify the Armed Forces Expeditionary Medal is currently annotated on the applicant's DD Form 214. Award of the Air Force Achievement Medal is verified according to Special Order XX-XXX, dated 19 Dec 99, in his military personnel record. Accordingly, his record will be administratively corrected (DD Form 215 will be issued). However, they were unable to verify award of the Small Arms Expert Marksmanship Ribbon. There was no supporting documentation in the applicant's official military record such as the AF Form 522, *USAF Ground Weapons Training Data*, or letter from the small arms marksmanship monitor, indicating he qualified as "expert" with the .30 Caliber Carbine or M-16 rifle, in accordance with AFMAN 36-2806, *Military Awards: Criteria and Procedures*, A14.33, Small Arms Expert Marksmanship Ribbon.

The complete advisory opinion is at Exhibit D.

## **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 6 Dec 22 for comment (Exhibit E) 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/DP2SSR-214 and AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes in accordance with policy, deployments, operation names or locations are not reflected on the DD Form 214. Additionally, neither the applicant's official military personnel record nor the documentation he provided support he met the AFMAN 36-

2806 criteria for award of the Small Arms Expert Marksmanship Ribbon. 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 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, other than the administrative correction that was made to his record, the Board finds the application untimely and recommends against correcting the applicant's records 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 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-2020-02229 in Executive Session on 18 May 23:

, 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 10 Apr 22.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Advisory Opinion, AFPC/DP2SSR, dated 1 Sep 22.  
Exhibit D: Advisory Opinion, AFPC/DP3SP, dated 5 Dec 22.  
Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 6 Dec 22.

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.

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Board Operations Manager, AFBCMR