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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03508

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be awarded the following medals:

1. Air Force Combat Action Medal (AFCAM).
2. Southwest Asia Service Medal (SWASM) (**Administratively Corrected**).

APPLICANT'S CONTENTIONS

He served in theater during Operation DESERT SHIELD/STORM. The AFCAM and SWASM were not added on his DD Form 214, *Certificate of Release or Discharge from Active Duty*. His service is documented on his DD Form 214.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 31 May 91, the applicant was honorably discharged and credited with 4 years of active duty service. His DD Form 214, Block 18, *Remarks*, states he served in Operation DESERT SHIELD/STORM area of responsibility from 18 Aug 90 to 18 Mar 91.

On 5 Feb 24, the AFPC/DPMSSR-214 office administratively corrected the applicant's record for award of the SWASM and provided the applicant with a DD Form 215, *Correction to DD 214, Certificate of Release or Discharge from Active Duty*, for award of the SWASM

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 denial for award of the AFCAM. The applicant's dates of service were 1 Jun 87 through 31 May 91, prior to award of the AFCAM. Nomination for the AFCAM is restricted to members who on or after 11 Sep 01 met the criteria in accordance with DAFMAN 36-2806, *Military Awards: Criteria and Procedures*.

The award of the SWASM was able to be verified based on the applicant's DD Form 214.

AFBCMR Docket Number BC-2021-03508

Work-Product

Work-Product

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 5 Jul 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.
2. The applicant did not exhaust 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. Therefore, aside from the administrative correction for award of the SWASM, the Board recommends against correcting the applicant's record. 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 and finds the application untimely.

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-2021-03508 in Executive Session on 28 Mar 24:

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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, w/atchs, dated 27 Sep 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 28 Jun 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 5 Jul 23.
- Exhibit E: Letter, AFPC/DPMSSR-214, w/atchs, dated 5 Feb 24.

AFBCMR Docket Number BC-2021-03508

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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.

6/12/2024

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2021-03508

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