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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01346

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COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, dated 5 Oct 90, be amended to reflect:

- a. Foreign Service (**will be administratively corrected**).
- b. He was awarded a medal for his deployment in support of Operation DESERT STORM.

APPLICANT'S CONTENTIONS

In Aug 90, he was in the initial deployment for Operation DESERT STORM. His travel orders dated 8 Aug 90, state the purpose of the temporary duty was to participate in combat operations with a proceed on or after date of 7 Aug 90 for approximately 32 days.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-3).

On 5 Oct 90, according to DD Form 214, he received a general (under honorable conditions) discharge and was credited with 3 years, 5 months, and 28 days of active service and no Foreign Service credit.

On 5 Dec 22, AFPC/DP3AM (Directorate of Assignments) informed the applicant they verified his Foreign Service time in Egypt from 14 Sep 89 to 9 Dec 89 for 2 months and 28 days. Although they were able to verify a deployment to the Kingdom of Saudi Arabia, they were unable to verify the inclusive dates of this deployment. As such, they requested his DD Form 214, dated 5 Oct 90, be corrected to reflect the period of service in Egypt. Since specific locations are not annotated on a member's DD Form 214, the applicant was informed he could use their letter as proof of boots-on-ground for Egypt and the Kingdom of Saudi Arabia.

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

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AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. Although AFPC Directorate of Assignments was able to verify his service in Egypt from 14 Sep 89 to 9 Dec 89, this period is prior to the award inclusion period for the awards for support of Operation DESERT STORM: the Southwest Asia Service Medal or the Kuwait Liberation Medal (Saudi Arabia). Additionally, while AFPC Directorate of Assignments was able to verify a deployment to the Kingdom of Saudi Arabia, unfortunately they were unable to verify the inclusive dates of that deployment.

According to Department of the Air Force Manual (DAFMAN) 36-2806, *Awards and Memorialization Program*, the Kuwait Liberation Medal (Saudi Arabia) is authorized by the government of Saudi Arabia to members of the Coalition Forces who participated in Operation DESERT STORM. The medal is authorized for acceptance by Air Force members who: Served in support of Operation DESERT STORM between 17 Jan 91 and 28 Feb 91, in one or more of the following areas: the Persian Gulf, the Red Sea, the Gulf of Oman, that portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude, the Gulf of Aden, or the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates. To be eligible, members must have been: Attached to or regularly serving for 1 or more days with an organization participating in ground or shore operations; Attached to or regularly serving for 1 or more days aboard a naval vessel directly supporting military operations; Actually participating as a crew member in 1 or more aerial flights supporting military operations in the areas designated above; or Serving on temporary duty for 30 consecutive days during this period. That time limitation may be waived for people participating in actual combat operations.

Additionally, 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 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.

After a thorough review of the applicant's submission and official military record, there is no evidence of an error or injustice. To grant relief would be contrary to the criteria established by DoDM 1348.33, *Manual of Military Decorations and Awards*, or DAFMAN 36-2806.

Notwithstanding the above, DP3SP verified boots-on-ground for Egypt and the Kingdom of Saudi Arabia and will administratively correct the record to include his service time in Egypt.

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 20 Jun 23 for comment (Exhibit D), and the applicant replied on 12 Jul 23. In his response, the applicant provided a copy of his DD Form 1610, *Request and Authorization for TDY Travel of DoD Personnel*, dated 6 Sep 90. Block 9, *Purpose of TDY*, reflects "Recalled from leave for Official Duty."

The applicant's complete response is at Exhibit E.

FINDINGS AND CONCLUSION

1. Although the application was not timely filed within the three-year limitation period established by 10 U.S.C. § 1552 (b), the untimeliness is waived in the interest of justice.
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 recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. Although the applicant believes he qualifies for awards for his deployment in support of Operation DESERT STORM, the Board disagrees. While DP3AM was able to verify a deployment to Saudi Arabia, they were unable to verify the inclusive dates of deployment and thus were unable to verify the applicant met eligibility criteria, in accordance with AFMAN 36-2806, for the award of the Southwest Asia Service Medal. Additionally, the Board found his service predates the inclusive period for the award of the Kuwait Liberation Medal - Saudi Arabia. Therefore, aside from the administrative correction noted above, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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-2022-01346 in Executive Session on 12 Mar 24:

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, w/atchs, dated 8 Apr 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 19 Jun 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 20 Jun 23.
- Exhibit E: Applicant's Response, w/atchs, dated 12 Jul 23.

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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.

6/3/2024

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Board Operations Manager, AFBCMR

Signed by:

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