
RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-03259

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended to include the Southwest Asia Service Medal.

APPLICANT'S CONTENTIONS

Her unit was actively involved in support of Operation DESERT SHIELD while serving in England. Based on this service, she should have received the Southwest Asia Service Medal. Having the medal reflected on her DD Form 214 would help obtain a higher veteran's preference to assist with her employment search.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force sergeant (E-4) who entered the Regular Air Force on 4 Mar 85.

According to enlisted performance reports for periods ending 3 Mar 87 through 3 Mar 90, the applicant served in England.

On 2 Oct 90, according to DD Form 214 provided by the applicant, she received an honorable discharge and was credited with 5 years, 6 months, and 29 days of active service. She was also credited with 3 years, 11 months, and 21 days of Foreign Service. Item 13, *Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized*, reflects: Air Force Outstanding Unit Award, Air Force Longevity Service Award, Air Force Overseas Long Tour Ribbon, Air Force Training Ribbon.

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 application, indicating there is no evidence of an error or injustice. In accordance with Department of the Air Force Manual (DAFMAN) 36-2806, *Military Awards: Criteria and Procedures*, dated 27 Oct 22, 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 10 degrees N. latitude and west 68 degrees 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 for 30 consecutive days or 60 nonconsecutive days.

After a thorough review of the military personnel record and provided documentation, the applicant does not meet the established criteria for award of the Southwest Asia Service Medal. To grant the request would be contrary to the criteria established by DAFMAN 36-2806, Department of Defense Instruction 1348.33, *DoD Military Decorations and Awards Program*, and applicable laws.

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 14 Sep 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 applicant believes she is eligible for the Southwest Asia Service Medal because her unit was actively involved in support of Operation DESERT SHIELD while serving in England. However, there is no evidence she served in a required area of eligibility as defined in DAFMAN 36-2806 to qualify for the requested award. Therefore, 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-2022-03259 in Executive Session on 16 Nov 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 11 Dec 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 13 Sep 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 14 Sep 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.

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Board Operations Manager, AFBCMR