

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2011-02048

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be corrected to reflect his service in Saudi Arabia.

APPLICANT CONTENDS THAT:

There is nothing on his DD Form 214 that shows he served in support of OPERATION DESERT SHIELD/DESERT STORM. He wants to include this service to be eligible for New York State, combat veterans benefits.

In support of his request the applicant provides a copy of his DD Form 214, *Certificate of Release or Discharge from Active Duty*.

The applicant's complete submission is at exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 9 April 1987. On 14 April 1991 the applicant was honorably released from active duty. He served 4 years and 7 days, none of which is credited as Foreign Service.

AIR FORCE EVALUATION:

AFPC/DPAPP states there is no concrete evidence that the applicant was TDY to Saudi Arabia at any time from 21 October 1990 through 6 March 1991; however, the circumstantial evidence does tend to prove the applicant's claim.

The complete AFPC/DPAPP evaluation is at exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 5 October 2011 for review and comment within 30 days. As of this date, this office has received no response.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
 2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
 3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. After a review of the evidence of record and the applicant's submission we believe that relief is warranted. The Board notes that the Air Force office of primary responsibility states they could not confirm any time served in Saudi Arabia, however, there is circumstantial evidence that could support the applicant's claim. In light of the Air Force advisory opinion and the information provided within, we elect to resolve any doubt in his favor and believe in the interest of equity and justice, his request should be favorably considered. Therefore, his records should be corrected as indicated below.
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THE BOARD DETERMINES THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that:

- a. He served at King Khalid International Airport, Saudi Arabia from 21 October 1990 through 6 March 1991 in support of OPERATION DESERT SHIELD/DESERT STORM.
- b. The DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with his 14 April 1991, separation, be amended in item 12 (f), Foreign Service, to reflect "4 months and 6 days."

The following members of the Board considered this application BC-2011-02048 in Executive Session on 2 February 2012, under the provisions of AFI 36-2603:

- , Panel Chair
- , Member
- , Member

The following documentary evidence for BC-2011-02048 was considered:

- Exhibit A. DD Form 149, dated 23 May 11.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 4 Nov 11, w/atchs.
- Exhibit D. Letter, SAF/MRBR, dated 18 Nov 11.

Panel Chair