

RECORD OF PROCEEDINGS

IN THE MATTER OF:

XXXXXXXXXXXXXX

DOCKET NUMBER: BC-2019-02084

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

She be awarded the Armed Forces Expeditionary Medal.

RESUME OF THE CASE

On 12 Mar 02, AF Form 910, *Enlisted Performance Report (AB thru TSgt)*, indicates the applicant deployed to XXXXX, Kingdom of Saudi Arabia in support of Operation **Work-Product** **Work-Product** sometime during the period of evaluation from 13 Jul 00 to 12 Mar 02.

On 12 Jul 04, the applicant separated from the Air Force in the grade of senior airman (E-4) and was relieved from assignment with the Air Force Reserve on 12 May 07. The amount of Foreign Service shown on her DD Form 214, *Certificate of Release or Discharge from Active Duty*, is 3 months and 13 days.

On 31 Jan 19, the applicant submitted a DD Form 149, *Application for Correction of Military Records*, requesting award of the Armed Forces Expeditionary Medal. She contended she deployed to **Work-Product** in 2011 becoming eligible for the medal.

On 17 May 19, the AFBCMR staff notified the applicant her request was forwarded to the Air Force Personnel Center (AFPC) for review and/or corrective action. Based on the foregoing, the applicant's case was closed. The applicant was also notified that if AFPC was unable to resolve her request, her application would be resubmitted to the AFBCMR.

On 20 Dec 19, the AFPC Recognition Team informed the applicant they were unable to verify her eligibility for award of the Armed Forces Expeditionary Medal. They informed the applicant that although she provided documents with her application to the Board, they did not support her request. They invited the applicant to provide source documents such as travel vouchers, and/or AF Form 104, *Service Medal Award Verification*, and informed her she should send evidence to AFPC within 30 days of the date of their letter. After 30 days, the case would be referred to the Board.

APPLICABLE AUTHORITY

Per Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, section A14.5 the Armed Forces Expeditionary Medal is awarded to members of the U.S. Armed Forces who, after 1 Jul 58, participated in U.S. military operations, U.S. operations in direct support of the United Nations, or U.S. operations of assistance for friendly foreign nations. The Joint Chiefs of Staff designates operations that qualify for the Armed Forces Expeditionary Medal, specifies the degree of participation required, and defines the area of operations. Service members must be bona fide members of a unit participating in or be engaged in the direct support of the operation for 30 consecutive days in the area of operations (or for the full period when an operation is less than 30 days duration), or for 60 nonconsecutive days provided the support involved entering the

area of operations or met one or more of the following criteria: (1) Be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation with armed opposition, regardless of time in the area; (2) Is wounded or injured and requires medical evacuation from the area of eligibility while participating in the operation, regardless of time; or (3) Accumulate 15 days service (consecutive/nonconsecutive) while participating as a regularly assigned crewmember of an aircraft flying sorties into, out of, within, or over the area in direct support of the military operation.

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying award of the Armed Forces Expeditionary Medal. Correspondence was sent to the applicant on 20 Sep 19 requesting additional documentation to possibly administratively correct her official record; however, as of the date of their advisory, they have not received additional documentation from the applicant. To grant relief would be contrary to the criteria established by DoDM 1348.33, *Manual of Military Decorations and Awards: DoD Joint Decorations and Awards*, and AFMAN 36-2806.

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 12 Oct 21 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 did not provide evidence he meets the eligibility criteria for the Armed Force Expeditionary Medal. Therefore, the Board 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 Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-02084 in Executive Session on 16 Jun 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted against correcting the record. The panel considered the following:

Exhibit A: Application, DD Form 149, dated 31 Jan 19.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 12 Oct 21.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 Oct 21.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

X

Board Operations Manager, AFBCMR