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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2020-00920

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His DD Form 214, Certificate of Release or Discharge from Active Duty, Block 13, Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized, be corrected to reflect award of the following:

- a. Joint Meritorious Unit Award (JMUA) with one Bronze Oak Leaf Cluster (1 BOLC) (Administratively Corrected).
b. Global War on Terrorism Expeditionary Medal (GWOTEM).
c. Air Force Expeditionary Service Ribbon (AFESR) with Gold Boarder and one 1 BOLC.

APPLICANT'S CONTENTIONS

In 2000, he deployed to a combat zone in support of Operation NORTHER WATCH and again in 2003 in support of Operations ENDURING/IRAQI FREEDOM. He was assigned to Headquarters USCENTCOM from Jan 02 through Apr 05, which he believes qualifies him for the joint award.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force staff sergeant (E-5) who entered the Regular Air Force on 25 Jun 97.

On 13 Apr 05, according to DD Form 214, the applicant was honorably discharged from the Regular Air Force and credited with 7 years, 9 months, and 19 days of active service. Block 13, reflects the following: Air Force Achievement Medal w/1 BOLC, Joint Service Achievement Medal w/1 BOLC, Air Force Overseas Long Tour Ribbon, Air Force Training Ribbon, Air Force Longevity Service Award, Armed Forces Expeditionary Medal, Armed Forces Service Medal, Kosovo Campaign Medal w/1 Bronze Star, Noncommissioned Officer Professional Military Education Graduate Ribbon, National Defense Service Medal, NATO Medal w/1 Bronze Star, Air Force Outstanding Unit Award w/2 BOLCs, Air Force Good Conduct Medal w/1 BOLC, Senior Intelligence Badge, and the Global War on Terrorism Service Medal.

On 9 Apr 21, AFPC/DP3SP (Recognition Team) informed the applicant they were able to verify his eligibility for award of the JMUA w/1 BOLC and published an action order that would add the ribbon to his DD Form 214. However, they were unable to verify award of the GWOTEM and the AFESR w/Gold Boarder and 1 BOLC. Although the applicant provided evidence with his

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application to the Board, it did not support his request. The applicant was asked to provide source documents to support his request, such as deployment orders, a paid travel voucher, an AF Form 7, *Airman Military Record*, and/or an AF Form 104, *Service Medal Award Verification*, placing him in the area of responsibility and for how long to verify award eligibility.

For more information, see the excerpt of the applicant's record at Exhibit B and the AFPC/DP3SP memorandum and advisory at Exhibits C and D.

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the request for award of the GWOTEM and the AFESR w/Gold Border and 1 BOLC. Both awards were unable to be verified based on the applicant's personnel record and the documentation provided by the applicant.

IAW AFMAN 36-2806, *Military Awards: Criteria and Procedures*, dated 10 Jun 19, the Global War on Terrorism Expeditionary Medal was established on 12 Mar 03 to recognize members of the United States Armed Forces who deployed abroad for service in the war on terrorism operations on or after 11 Sep 01 till a date to be determined. Members must have been permanently assigned, attached, or detailed to a unit that participated, on or after 11 Sep 01 in a designated Global War on Terrorism Expeditionary Medal operation in the specified area of eligibility for that operation for 30 consecutive or 60 nonconsecutive days, or meet one of the following criteria, regardless of time spent in the area of eligibility: was engaged in actual combat against the enemy and under circumstances involving grave danger of death or serious bodily injury from enemy action, was killed, wounded, or injured and medically evacuated from the area of eligibility while participating in the designated operation, were members participating as a regularly assigned aircrew member flying sorties into, out of, within, or over the area of eligibility in direct support of the Global War on Terrorism Expeditionary Medal designated operation, been deployed abroad for a designated Global War on Terrorism Expeditionary Medal approved operation to a designated area of eligibility for that operation.

In accordance with paragraph 14.5.1.6., service members who earned the AFEM for operations in Southwest Asia (SOUTHERN WATCH, Maritime Intercept, NORTHERN WATCH, and DESERT SPRING) and then became eligible for the GWOTEM between 11 Sep 01 to 18 Mar 03 can elect to receive either the AFEM or GWOTEM, but they may not be awarded both for the same period.

In accordance with paragraph A14.26., AFESR was established on 18 Jun 03, to recognize air expeditionary force deployed status of 45 consecutive days or 90 nonconsecutive days. In Apr 04, the gold boarder was authorized to be affixed to the AFESR to represent participation in combat operations.

According to the applicant's DD Form 214, he was awarded the AFEM for service in Incirlik, Turkey in support of Operation NORTHERN WATCH; therefore, rendering him ineligible for award of the GWOTEM for his support in Operation NORTHERN WATCH as it would be considered dual recognition. Additionally, the inclusive dates of deployment status were unable to be verified, rendering the applicant ineligible for award the AFESR w/Gold Border and 1 BOLC.

Notwithstanding, AFPC/DP3SP was able to verify the applicant's eligibility for the JMUA w/1 BOLC. Accordingly, the applicant's record will be administratively corrected.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 21 Jun 23 for comment (Exhibit E) 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 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 applicant was awarded the AFEM for service in Incirlik, Turkey in support of Operation NORTHERN WATCH; therefore, rendering him ineligible for award of the GWOTEM as it would be considered dual recognition for the same operation. Additionally, the Board cannot verify the inclusive dates of his deployment rendering him ineligible for award of the AFESR w/Gold Border and 1 BOLC. 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. Therefore, with the exception of the administrative correction, 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 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-2020-00920 in Executive Session on 9 Jan 24:

Work-Product, Panel Chair

Work-Product, Panel Member
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All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, dated 15 Jan 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Letter to Applicant, AFPC DP3SP, dated 9 Apr 21.
- Exhibit D: Advisory Opinion, AFPC/DP3SP, dated 8 Feb 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Jun 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.

3/13/2024

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Board Operations Manager, AFBCMR

Signed by:

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