RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2009-00338

 INDEX CODE: 107.00

 XXXXXXX COUNSEL: NONE

 HEARING DESIRED: YES

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APPLICANT REQUESTS THAT:

Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to reflect entitlement to the Global War on Terrorism Service Medal and the Air Force Expeditionary Service Ribbon with one Oak Leaf Cluster.

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APPLICANT CONTENDS THAT:

These awards were not entered on her DD Form 214 at the time of her separation due to an oversight. She is entitled to these awards by virtue of her deployment to Saudi Arabia from 20 April 2002 – 31 July 2002, and noticed these awards were not entered into her records while reviewing her Officer Preselection Brief for an upcoming Major Central Selection Board.

In support of her appeal, the applicant provides copies of a Virtual Military Personnel Flight (vMPF) *Awards and Decorations Information* inquiry pertaining to her authorized awards and decorations; and deployment orders, travel voucher, and payment information pertaining to her 2002 deployment to Saudi Arabia.

Applicant’s complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant entered the Regular Air Force on 2 June 1999 and served as a financial management officer until her resignation and honorable separation on 1 August 2007. She was subsequently accessed by the Air Force Reserve and is currently serving with them in the grade of captain. Her DD Form 214 reflects she is entitled to the Air Force Achievement Medal, Air Force Commendation Medal with one device, Air Force Training Ribbon, Air Force Longevity Service Award with two devices, National Defense Service Medal, Armed Forces Expeditionary Medal, Air Force Outstanding Unit Award w/Valor with 3 devices, Air Force Organizational Excellence Award, and the Senior Acquisition and Financial Management Badge. The applicant’s request has been partially resolved administratively as AFPC has verified her entitlement to the Air Force Expeditionary Service Ribbon with Gold Border for her deployment to Saudi Arabia from 1 April 2002 to 31 July 2002, and the Global War on Terrorism Expeditionary Medal, and has taken action to administratively correct her DD Form 214 to reflect these entitlements.

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AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial of applicant’s request for award of the Air Force Expeditionary Service Ribbon with one Oak Leaf Cluster based on the award criteria.

The Air Force Expeditionary Service Ribbon was authorized on 18 June 2003 for Air Force Active Duty, Reserve, and Guard personnel who completed a contingency deployment after 1 October 1999. Deployment is defined as either deployment on contingency, exercise, or deployment orders, or members sourced in direct support (in-theater or out) of expeditionary operations with an overnight away-from-home-station destination or location of the temporary duty. To qualify for this ribbon, individuals must have deployed for 45 consecutive days or 90 nonconsecutive days in a deployed status. There is no time limit to accumulate the 90 non-consecutive days as members keep accumulating contingency temporary duty days until they reach 90 days. The intent of this ribbon is one ribbon for each deployment (provided the required number of deployment days are met) and it is not intended to be awarded in multiples corresponding to each 45 consecutive days deployed. Permanent party personnel assigned to air expeditionary units are also eligible to receive the ribbon after 1 October 1999.

The applicant’s records have been corrected to reflect entitlement to the Air Force Expeditionary Service Ribbon with Gold Border based on her serving in Saudi Arabia for four months and one day from 1 April 2002 to 31 July 2002; however, they are unable to verify she served any additional contingency deployments or was permanently assigned to an air expeditionary unit to justify awarding an Oak Leaf Cluster.

The AFPC/DPSIDR evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A complete copy of the evaluation was forwarded to the applicant on 7 August 2009, for review and comment, within 30 days. However, as of this date, no response has been received by this office.

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We note that AFPC has taken action to have the applicant’s DD Form 214 corrected to reflect award of Air Force Expeditionary Service Ribbon with Gold Borderand theGlobal War on Terrorism Expeditionary Medal; therefore, the only remaining issue before this Board is her request for entitlement to an Oak Leaf Cluster for her Air Force Expeditionary Service Ribbon. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt their rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

4.  The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered Docket Number BC-2009-00338 in Executive Session on 23 September 2009, under the provisions of AFI 36-2603:

 Mr. Anthony P. Reardon, Panel Chair

 Mr. Mark J. Novitski, Member

 Ms. Janet I. Hassan, Member

The following documentary evidence was considered in BC-2009-00338:

 Exhibit A. DD Form 149, dated 13 Jan 09, w/atchs.

 Exhibit B. Applicant's Available Master Personnel Records.

 Exhibit C. Letter, AFPC/DPSIDR, dated 20 Jul 09, w/atch.

 Exhibit D. Letter, SAF/MRBR, dated 7 Aug 09.

 ANTHONY P. REARDON

 Panel Chair