RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2009-00895

INDEX CODE: 107.00

XXXXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His records be corrected to reflect any award entitlements for his participation in the Libya Campaign.

Item 12f, Foreign Service, of his DD Form 214, *Certificate of Release or Discharge from Active Duty*, be corrected to accurately reflect his more than two years at RAF Upper Heyford, England. **(Will be administratively corrected.)**

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APPLICANT CONTENDS THAT:

He worked on aircraft involved with the Libya Campaign and there was probably a medal/ribbon involved with this campaign. He spent over two years in RAF Upper Heyford, England, and his DD Form 214 reflects only 2 months and 22 days of foreign service.

In support of his appeal, the applicant provides a copy of his DD Form 214.

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

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STATEMENT OF FACTS:

The applicant’s military personnel records indicate he entered the Regular Air Force on 14 Aug 1985 and served as an aircraft armament systems specialist until being honorably released from active duty on 27 Mar 1985. He was credited with 3 years, 7 months, and 14 days of total active service.

While item 12f of his DD Form 214 indicates he was credited with 2 months and 22 days of foreign service, his master personnel records contain Airman Performance Reports (APRs) for the periods 14 Aug 1985 through 13 Aug 1986 (Annual), 14 Aug 1986 through 5 Mar 1987 (CRO), and 6 Mar 1987 through 31 Dec 1987 (CRO), all rendered while he was assigned to the 20th Equipment Maintenance Squadron (USAFE), RAF Upper Heyford, England.

Item 13 of his DD Form 214 indicates he is entitled to the Air Force Overseas Long Tour Ribbon, Air Force Training Ribbon, and the Air Force Outstanding Unit Award.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force which is attached at Exhibit C.

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AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial, indicating there is no evidence of an error or injustice. The Armed Forces Expeditionary Medal (AFEM) is awarded to members of the United States (US) armed forces who have participated in a US military operation and encountered foreign armed opposition, or were in danger of hostile action by foreign armed forces. The AFEM was awarded for participation in Operation Eldorado Canyon (attacks against forces in Libya) from 12 Apr 1986 to 17 Apr 1986. However, there is no documentation in the record to indicate the applicant was in the Area of Operations during the period for which the AFEM was awarded.

The complete AFPC/DPSIDR evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 19 Jun 09 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

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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 not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice warranting the applicant’s entitlement to the AFEM. 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 its 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.

4.  The Air Force has verified the member’s Foreign Service and has administratively corrected his records to credit him with two years, one month, and one day of Foreign Service.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that 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 AFBCMR Docket Number BC-2009-00895 in Executive Session on 3 Dec 09, under the provisions of AFI 36-2603:

XXXXXXXXXX, Panel Chair

XXXXXXXXXX, Member

XXXXXXXXXX, Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 2 Mar 09, w/atch.

Exhibit B. Applicant's Master Personnel Records.

Exhibit C. Letter, AFPC/DPSIDR, dated 16 Jun 09.

Exhibit D. Letter, SAF/MRBR, dated 19 Jun 09.

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Panel Chair