RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2009-02134

INDEX CODE: 107.00

XXXXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He be awarded the Air Force Combat Action Medal (AFCAM) for qualifying duty in Iraq where he served as an aircrew member (navigator) from 28 Jul 04 through 15 Oct 04.

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APPLICANT CONTENDS THAT:

He performed qualifying duty for award of the AFCAM while deployed to Iraq in 2004. While serving as an aircrew member, his aircraft came under direct enemy fire while departing Baghdad International Airport.

He had no way of knowing that he was eligible for the award. There was no awards and decorations monitor appointed to keep his records up to date when the initial guidance for the AFCAM was released. At that time, he had recently transferred from the XXXX Air National Guard for a four-year active duty tour in support of Operation Coronet Oak (SOUTHCOM). His personnel records were transferred to Davis Monthan AFB, AZ.

In support of his request, the applicant provides copies of his DD Form 214, *Certificate of Release or Discharge from Active Duty*, and Contingency/Exercise/Deployment orders to document his 2004 mobilization and deployment to Kuwait, an email from the XXX MSF (XX ANG) Awards and Decorations Monitor, and the HQ AFPC/DPPP 171241Z JUL 07 message, AFCAM Administrative Procedures (Updated).

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

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STATEMENT OF FACTS:

Information extracted from the Military Personnel Data System (MilPDS) indicates the applicant is a member of the Air National Guard, currently serving on a four-year extended active duty tour in the grade of lieutenant colonel, with an effective date and date of rank of 22 Nov 97. His Total Active Federal Military Service Date (TAFMSD) is 20 Aug 01, and his Total Active Federal Commissioned Service Date (TAFCSD) is 11 Apr 2002.

On 16 Jul 04, the applicant was ordered to active duty pursuant to 10 USC 12302, Partial Mobilization, and deployed to Ali Al Salem Air Base, Kuwait on 28 Jul 04 for approximately 60 days. He redeployed to his home station and was released from active duty on 15 Oct 04.

On 5 Feb 07, the applicant was ordered to extended active duty for four years in support of Operation Coronet Oak at San Juan, Puerto Rico.

On 9 Apr 07, HQ AFPC/DPPP released initial comprehensive policy on the AFCAM (to all MAJCOM/FOA/NAF Manpower and Personnel Functions, Military Personnel Flights, Commander Support Staffs (CSS) and all Deployed Personnel functions (PERSCO)), followed by detailed administrative guidance on 16 Apr 07, and an update to that guidance on 17 Jul 07.

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AIR FORCE EVALUATION:

NGB/A1PS recommends denial, noting the absence of any evidence of an error or injustice. Specifically, the applicant did not provide any documentation relative to the qualifying mission(s).

A complete copy of the NGB/A1PS 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 applicant on 17 Jul 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 timely filed.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. The applicant's complete submission was thoroughly reviewed and his contentions were duly noted. However, we do not find the applicant’s assertions and the documentation submitted in support of his appeal sufficiently persuasive to warrant any corrective action. No evidence has been presented that convinces us of his entitlement to the AFCAM. In view of the foregoing, and in the absence of sufficient evidence of his entitlement to the AFCAM, we agree with the recommendation of the office of primary responsibility (OPR) and conclude the applicant has failed to sustain his burden of establishing that he has suffered either an error or an injustice. Accordingly, we find no compelling basis to recommend granting the relief sought in this application.

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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-2008-02134 in Executive Session on 1 Sep 09, under the provisions of AFI 36-2603:

Mr. Robert H. Altman, Panel Chair

Ms. Glenda H. Scheiner, Member

Mr. Joseph D. Yount, Member

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 14 May 09, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, NGB/A1PS, dated 7 Jul 09, w/atch.

Exhibit D.  Letter, SAF/MRBR, dated 17 Jul 09.

ROBERT H. ALTMAN

Panel Chair