

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

JAN 20 1990

IN THE MATTER OF:

DOCKET NUMBER: 98-01380

COUNSEL: None

HEARING DESIRED: No

[REDACTED]
[REDACTED]

Applicant requests award of the Air Force Commendation Medal (AFCM) with 1 Oak Leaf Cluster (1OLC). Applicant's submission is at Exhibit A.

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

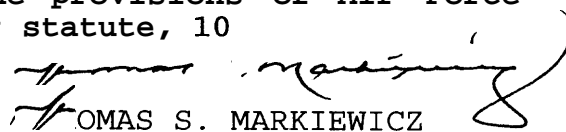
We note that applicant was requested by AFPC/DPPRA to furnish a copy of his Report of Separation and a copy of the original recommendation package for the AFCM, 1OLC, including the DECOR-6. It appears the applicant mailed a legible copy of his Report of Separation and instructed DPPRA to contact an officer at Seymour-Johnson for a copy of the recommendation package. He was again contacted to provide a copy of the recommendation package with a copy of the DECOR-6; however, he did not respond. In view of the above and after noting that without documentation showing he was ever recommended for the AFCM, 1OLC, substantiating his claim, this decoration cannot be verified. Therefore, the facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. Thomas S. Markiewicz, Ms. Rita J. Maldonado, and Ms. Peggy E. Gordon considered this application on 7 January 1999 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10


THOMAS S. MARKIEWICZ

Panel Chair

Exhibits :

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

MEMORANDUM FOR AFBCMR

29 September 1998

FROM: HQ AFPC/DPPRA
550 C Street West Ste 12
Randolph AFB TX 78150-4714

SUBJECT: Application for Correction of Military Records (DD Form 149)
[REDACTED]

1. REQUESTED ACTION. Applicant requests award of the Air Force Commendation Medal with 1 *Oak Leaf Cluster*.

2. BASIS FOR REQUEST. Applicant states he was recommended after his discharge from Active Duty (30 Mar 95), but never received the decoration.

3. FACTS.

a. Applicant served on Active Duty in the Air Force 26 Mar 90-30 ~~Mar~~ 95.

(1) A 28 May 97 Memorandum, regarding the applicant's Congressional inquiry, determined that the award consideration could not be considered at that time. The recommendation package was placed in official channels in a timely manner, but could not be processed because the applicant "would not be assigned to anyone after he out-processed" from his unit.

(2) A 20 Apr 98 Memorandum, the Congressional response, stated that there was "no
v a t v submitted a [REDACTED]

(3) **An 8 Jan 98** Congressional letter requested the applicant's record be reviewed for award consideration.

b. On 17 Jun 98, this office requested the applicant furnish a copy of his Report of Separation and a copy of the original recommendation package for the Air Force Commendation with 1 *Oak Leaf Cluster*, including the DECOR-6. The applicant mailed a legible copy of his Report of Separation, and instructed us to contact an officer at [REDACTED] for a copy of the recommendation package.

c. On 14 Jul 98, the applicant was again requested to provide a copy of the recommendation package, with a copy of the DECOR-6, and informing him it was the applicant's responsibility to furnish all documentation to substantiate his claim. There was no response.

9801380

4. DISCUSSION. The applicant has not provided any documentation showing he was ever recommended for the Air Force Commendation Medal with 1 *Oak* Leaf Cluster; even after being requested on two occasions to do so. The Application is dated 11 May 98, with 11a, *Date of Discovery*, shown as 16 Apr 96. The applicant has failed to provide documentation to substantiate his claim, and has waited over the one-year time limit to take steps to remedy the situation. The case is not timely and is incomplete.

5. RECOMMENDATION.

We recommend disapproval of the applicant's request to be awarded the Air Force Commendation Medal with 1 *Oak* Leaf Cluster.

FOR THE COMMANDER/



GEORGIA A. WISE, DAFC
Recognition Programs Branch
Promotions, Eval & Recognition Div



9901380