

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2011-04053
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, be corrected to reflect his award of the Purple Heart (PH).
 2. He be mailed verification of his award of the PH.
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APPLICANT CONTENDS THAT:

He received notification of award of the PH by mail in 1962 subsequent to his separation.

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

The applicant's complete submission, with attachment, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is a former member of the Regular Air Force who served from 8 November 1956 to 7 November 1960. He served in Labrador, Canada, from 12 May 1957 to 10 May 1958. On 7 November 1960, he was honorably discharged in the grade of airman third class (E-2) after serving four years on active duty. His DD Form 214 reflects he served 11 months and 29 days of Foreign Service.

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial. DPSIDR states the PH is awarded for wounds or death as result of an act of any opposing armed force, as a result of an international terrorist attack, or as a result of military operations while serving as part of a peacekeeping force.

DPSIDR indicates that after a thorough review of the applicant's military personnel records, they were unable to locate a certificate or special order verifying he was awarded the PH. In addition, the applicant provided no certificate, special order, eyewitness statement, or medical records to support his claim.

Nor, did he provide a detailed statement describing the circumstances concerning an injury.

DPSIDR indicates the only Foreign Service located in the applicant's military service records was to Labrador, Canada. Without contact with a hostile armed force, the applicant could not be entitled to the PH.

The complete DPSIDR evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Many incidents happened between 1956 and 1962. He is not sure which incident was referenced in the letter he received in 1962 indicating he was awarded the PH for "above and beyond the call of duty."

The applicant's complete rebuttal is at Exhibit E.

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 an error or an injustice. 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 it's 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 basis to recommend granting the relief sought in this application.

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 the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2011-04053 in Executive Session on 30 May 2012, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2011-04053:

Exhibit A. DD Form 149, dated 12 Oct 11, w/atchs.
Exhibit B. Applicant's Master Personnel Records.
Exhibit C. Letter, AFPC/DPSIDR, dated 16 Nov 11.
Exhibit D. Letter, SAF/MRBR, dated 29 Dec 11.
Exhibit E. Letter, Applicant, dated 19 Jan 12.

Panel Chair