

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2011-05123

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. He be awarded the Bronze Star Medal (BSM).
2. He be awarded the Air Force Outstanding Unit Award w/Valor (AFOUA w/V).
3. He be awarded the Air Force Good Conduct Medal. **(ADMINISTRATIVELY CORRECTED)**
4. Three Bronze Service Stars be added to his Vietnam Service Medal. **(ADMINISTRATIVELY CORRECTED)**
5. He be awarded the Small Arms Expert Marksmanship Ribbon (SAEMR).
6. He be awarded the Republic of Vietnam Gallantry Cross w/ Palm. **(ADMINISTRATIVELY CORRECTED)**
7. He be awarded the Republic of Vietnam Campaign Medal. **(ADMINISTRATIVELY CORRECTED)**

APPLICANT CONTENDS THAT:

He should be awarded the BSM for his actions on 15 January 1969. On 15 January 1969, North Vietnamese successfully blew up a fuel storage area and ignited 90,000 gallons of fuel. As a result of the extreme fires, the only fuel left to fuel the planes were in 15,000 gallon gas trailers which were situated in the middle of the burning fuel dupe. Those trailers were being used to refuel at the fuel storage and were inoperable.

A group of men from the Transportation Squadron ran into the fire and saved the trailers by making them operable. This entailed them to crawl under the tankers to release the air brakes with everything around them on fire and exploding incoming rockets. They also had to haul the trailer out of the fire under these extreme circumstances. Several of the participants were honored with the Bronze Star with Valor.

In support of his appeal, the applicant provides a copy of his DD Form 214, *Armed Forces of the Transfer Report of Transfer or Discharge*, witness statements, a Combat Operations After Action Report and other supporting documentation.

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

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 2 July 1968. He departed for Pleiku Air Base Vietnam on 5 July 1969 and remained there until 1 December 1969. The applicant was honorably discharged on 30 June 1972 and credited with serving 3 years, 11 months and 29 days of active duty service.

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

AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial of the Bronze Star Medal, Air Force Outstanding Unit Award w/ Valor and the Small Arms Expert Marksmanship Ribbon.

They were able to verify the applicant's entitlement to the Air Force Achievement Medal, Air Force Good Conduct Medal, Vietnam Service Medal with Three Bronze Service Stars, Republic of Vietnam Gallantry Cross w/ Palm and the Republic of Vietnam Campaign Medal. His records were administratively corrected.

The BSM is awarded to a person in any branch of the military service who, while still serving in any capacity with the Armed Force of the United States on or after 7 December 1941, shall have distinguished themselves by heroic or meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy. Additionally, the BSM is limited to members of the Armed Forces who are in receipt of special pay at the time of the event or who receives such pay as a result of those events.

The applicant received an Air Force Commendation Medal for meritorious service for his 10 month tour in Vietnam, however, no official recommendation within the chain of command, no proposed citation, or special orders were provided for the BSM to commemorate the heroic initiative of the applicant on 15 January 1969.

The applicant has provided three witness statements as recommendation for the BSM. Each witness attests to the applicant saving motorized equipment. One of the witnesses was awarded the BSM with Valor for the incident. The applicant's paid voucher shows he arrived in Vietnam on 7 January 1969 and the witnesses attest the applicant arrived on the night of the attack, 15 January 1969.

The Air Force Outstanding Unit Award is awarded by the Secretary of the Air Force to units that have distinguished themselves by exceptionally meritorious service or outstanding achievement that clearly sets the unit above and apart. The 633rd Combat Support Group, Headquarters SQ SEC received the award; however the applicant's records do not support he was assigned to the Headquarters. The applicant is ineligible for the AFOUA w/V.

The SAEMR is awarded to all Air Force members who, after 1 January 1963 qualify as expert in small arms marksmanship with either the M-16 rifle or issue handgun. A review of the applicant's record revealed no documentation designating the award of the SAEMR.

The complete DPSIDR evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluations was forwarded to the applicant on 20 March 2012, for review and comment within 30 days (Exhibit D). As of this date, this office has received no response.

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 injustice. We took notice of the applicant's complete submission and the available evidence of record in judging the merits of the case; however, we are not persuaded based upon the evidence presented of his entitlement to the award of the Bronze Star Medal, AFOUA w/V and Small Arms Expert Marksmanship Ribbon. 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 that relief beyond that already granted

administratively is not warranted. While the applicant has a commendable record of service, regrettably, in the absence of evidence to the contrary, we find no basis to grant the relief sought in this application.

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.

The following members of the Board considered BCMR Docket Number BC-2011-05123 in Executive Session on 30 August 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 11 Jun 12 w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIDR, dated 23 Feb 12.
- Exhibit D. Letter, SAF/MRBR, dated 20 Mar 12.

Panel Chair