# RECORD OF PROCEEDINGS AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2012-00619

COUNSEL: NONE

HEARING DESIRED: NO

### APPLICANT REQUESTS THAT:

His DD Form 214, Armed Forces of the United States Report of Transfer or Discharge be corrected to reflect entitlement to the following awards and decorations:

- 1. The Air Force Commendation Medal (AFCM).
- 2. Presidential Unit Citation (PUC) **ADMINISTRATIVELY** CORRECTED
- 3. Republic of Vietnam Campaign Medal (RVCM) ADMINISTRATIVELY CORRECTED.
- 4. Small Arms Expert Marksmanship Ribbon (SAEMR) ADMINISTRATIVELY CORRECTED.
- 5. Republic of Vietnam Gallantry Cross with Palm (RVNGC w/P ADMINISTRATIVELY CORRECTED.

#### APPLICANT CONTENDS THAT:

His DD Form 214 does not include a record of the AFCM, PUC, RVCM, SAEMR and the RVNGC  $\rm w/P$ . All the medals except the RVNGC  $\rm w/P$  were sent to him in 1973 when he requested a records update but no one updated the DD Form 214 to reflect them.

He is proud to have served in Vietnam and would like his record to be correct and complete before he is gone.

In support of his request, the applicant provides a copy of GSA Form 6994, Transmittal of and /or Entitlement to Awards.

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

# STATEMENT OF FACTS:

The applicant is a former member of the Regular Air Force who served from 13 August 1963 to 11 August 1967. He was released from active duty with an honorable characterization of service and was credited with 3 years, 11 months and 29 days of active duty service of which 10 months and 17 days was credited as Foreign and/or Sea Service.

The applicant's DD Form 214 does not reflect award of the AFCM, PUC, RVCM, SAEMR or the RVNGC  $\rm w/P$ .

By letter dated 18 April 2012 (Exhibit C) AFPC/DPSIDR advised the applicant they had made a thorough review of his official military personnel record and provided documents and verified his entitlement to the PUC, RVCM, SAEMR and the RVNGC w/P. They were unable to determine the applicant's entitlement to the AFCM.

#### AIR FORCE EVALUATIONS:

AFPC/DPSIDR recommends denial. DPSIDR states they were able to verify the applicant's entitlement to all but one of the requested federal awards and decorations. Through separate correspondence (see Exhibit C) the applicant was advised he was ineligible for entitlement to the AFCM.

The AFCM is awarded to members of the Armed Forces of the United States who, while serving in capacity with the Air Force after 24 March 1958, shall have distinguished themselves by meritorious achievement and service.

The complete AFPC/DPSIDR evaluation is at Exhibit D.

# APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 25 April 2012 for review and comment within 30 days (Exhibit E). To date, this office has not received a response.

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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 with regard to the applicant's request for award of the Air Force Commendation Medal. 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 that relief beyond that already granted administratively is not warranted. Therefore, we find no basis to favorably consider 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 that 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 this application BC-2012-00619 in Executive Session on 9 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 13 February 2012, w/atchs.

Exhibit B. Applicant's Master Personnel Records.

Exhibit C. Letter, AFPC/DPSIDR, dated 18 April 2012.

Exhibit D. Letter, AFPC/DPSIDR, dated 16 April 2012.

Exhibit E. Letter, SAF/MRBR, dated 25 April 2012.

Panel Chair