RECORD OF PROCEEDINGS AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2012-01324

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His records be corrected to reflect award of the Air Medal (AM).

APPLICANT CONTENDS THAT:

He was discharged in October 1970 and his letter regarding the AM is dated January 1971. Either no one followed up, or he could not be located.

In support of his request, the applicant provides a copy of a letter from Headquarters $7^{\rm th}$ Air Force (PACAF).

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

STATEMENT OF FACTS:

The applicant's records reflect he contracted his initial enlistment in the Regular Air Force on 29 Oct 62. He was honorably discharged on 23 Oct 70. He was credited with 7 years, 11 months, and 25 days of active military service.

The AM is awarded to any person who, while serving in any capacity with the United States Armed Forces, subsequent to 8 Sep 39, distinguished themselves by heroic or meritorious achievement while participating in aerial flight.

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

AIR FORCE EVALUATION:

AFPC/DPSIDRA recommends denial, noting there was no official documentation provided or located verifying the applicant

participated in aerial flight operations. There is no official documentation verifying the applicant was recommended for and approved for award of the AM. While the applicant provides what appears to be a transmittal letter for award elements to be included in his military personnel records, the letter does not specifically indicate the applicant was awarded the AM. Furthermore, the applicant has not exhausted all administrative avenues in accordance with Title 10, U.S.C., Section 1130. He did not provide a signed recommendation made by someone with firsthand knowledge of the act or achievement, a proposed citation, eyewitness statements, and chain of command endorsements, or a request submitted through Congressional channels.

The complete AFPC/DPSIDRA evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 24 May 12, for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

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 its 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 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 AFBCMR Docket Number BC-2012-01324 in Executive Session on 23 Oct 12, under the provisions of AFI 36-2603:

Panel Chair Member Member

The following documentary evidence was considered:

Exhibit A. DD Form 149, dated 3 Apr 12, w/atch.

Exhibit B. Applicant's Military Personnel Regov.

Exhibit B. Applicant's Military Personnel Records. Exhibit C. Letter, AFPC/DPSIDRA, dated 15 May 12.

Exhibit D. Letter, SAF/MRBR, dated 24 May 12.

Panel Chair